



## **Training workshop on implementation of strategic environmental assessment (SEA) procedure in Azerbaijan**

4 – 5 April 2018

Central Pak Hotel, Baku



### **Event Report**

April 2018

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## 1. Background information

Strategic environmental assessment (SEA) is seen as an essential planning tool for an environmentally sustainable economic development, which can support country's efforts in greening its economy. It is a step-by-step procedure to integrate green economy targets and other sustainability issues into strategic planning and decision-making to ensure that environmental and health implications of decisions are taken into account before they are made. A SEA is applied to governmental plans, programmes, or policy documents in accordance with requirements of the UNECE Protocol on Strategic Environmental Assessment to the Espoo Convention (Protocol on SEA) and the EU SEA Directive.

The “Greening Economies in the Eastern Neighborhood” (EaP GREEN) project was launched in 2013 to support the six European Union’s Eastern Partnership (EaP) countries – Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova, and Ukraine – to progress faster towards a green economy through better management of natural capital supporting a higher economic productivity and competitiveness. The above listed EaP GREEN countries made their commitments related to the transition towards a green economy in the 2011 and 2013 Declarations of the EU Eastern Partnership Summits and on other international fora.

The EaP GREEN has supported countries in developing methodological, legal, and conceptual material based on international good practice adapted to the country conditions and needs. In-country pilot projects have also been implemented to demonstrate how relevant policies and tools can be applied in practice. The EaP GREEN has been jointly implemented by four international organizations: the Organization for Economic Co-operation and Development (OECD), the United Nations Economic Commission for Europe (UNECE), the United Nations Environment Programme (UN Environment), and the United Nations Industrial Development Organization (UNIDO). The project has been funded by the European Union, implementing organisations, and supported by several EU and OECD countries.

Since 2014, the UNECE secretariat to the Espoo Convention has been supporting the Ministry of Ecology and Natural Resources of Azerbaijan in the process of preparation of the legislation framework and in building capacities for application of SEA in order to support the country in developing its SEA system in line with requirements stipulated by the Protocol on SEA. The activities included legislative drafting supported by raising awareness among national, local and sectoral authorities about SEA process and its benefits; conducting a pilot SEA with built-in training workshops to increase capacities on practical application of SEA; and preparation of SEA recommendations.



## 2. Objectives of the event and approach

A training workshop on the practical application of the SEA procedure was jointly organized by the Ministry of Ecology and Natural Resources of Azerbaijan in cooperation with the UNECE within the framework of the EaP GREEN. Logistical support was provided by the UNDP office in Azerbaijan. The event took place at the Central Park Hotel, Baku.

The aim of the event is to support application of the SEA procedure as stipulated by the draft Law on Environmental Impact Assessment (EIA), which was recently submitted to the Parliament. The objectives of the workshop were defined as follows:

- To raise awareness among the participants about the recent development of the national legislation on SEA;
- To introduce the main benefits of SEA, key stages of SEA process, and roles and responsibilities of main actors involved in SEA;
- To facilitate debate about the practical steps and arrangements for application of SEA in Azerbaijan after adoption of the Law on EIA.

A one and half day event gathered altogether 31 participants (see Annex 1 to this report) from the representatives of the central authorities (ministries) responsible for sectoral planning, and other relevant governmental agencies (e.g. environmental and health authorities), academia, and NGOs.

The agenda of the event (see Annex 2 to this report) combined lectures providing a basic theoretical background and information on the requirements stipulated by the UNECE Protocol on SEA and the national legislative framework with group work sessions focusing on practical aspects.

The event was jointly delivered by the experts from the Ministry of Ecology and Natural Resources of Azerbaijan and the national and international consultants to the UNECE.



### 3. Minutes of the event

Ms. Aysel Babayeva, Senior advisor, Ministry of Ecology and Natural Resources, Focal point of Azerbaijan to the Espoo Convention, opened the meeting. She emphasized the role of environmental assessment procedures for enhancing environmental and health protection in Azerbaijan and acknowledged the contribution of the EaP GREEN project. She also introduced objectives of the workshop, its agenda, and facilitated an introduction of the participants and a short discussion on their expectations from the training

Mr. Shamil Huseynov, Head of Sector on Natural Resources, Energy and Environment of the Parliament of Azerbaijan Republic, provided information about the draft Law on EIA and explained the scope of the national SEA and EIA schemes stipulated by the draft Law. He stressed that the Government of Azerbaijan tries to establish the national legislative framework on SEA and EIA, and informed the participants that the draft revised Law on EIA successfully passed the first reading on 29 March 2018, while the second reading should take place in a couple of weeks. He also mentioned that altogether eight bylaws will need to be developed after adopting the Law to ensure its implementation.

Mr. Martin Smutny, EaP GREEN project coordinator and UNECE consultant, also addressed the participants with a welcoming speech. He presented a brief overview of the UNECE activities under the EaP GREEN project across the beneficiary countries with the focus on Azerbaijan. He introduced the main provisions of the UNECE Protocol on SEA (which were also presented by an Azerbaijan version of a short video on the SEA Protocol and benefits of its application).

After opening session, Mr. Matthew Cashmore, consultant to UNECE, presented the purpose and main benefits of SEA, the key principles of efficient application of SEA, and main requirements of the UNECE Protocol on SEA. He emphasized importance of proper understanding of differences between SEA and EIA and described the expected roles and responsibilities of the main actors in SEA – competent or responsible authorities, consultation authorities, and other governmental bodies, the public, likely affected countries, consultants/experts, and judiciary bodies. Mr. Cashmore also mentioned several key principles of efficient SEA application, including:

- Proportionality;
- Appropriate application of scoping;
- Linking SEA and planning procedures;
- Effective quality control;

Ms. Aysel Babayeva presented the main provisions of the draft Law on EIA, which was recently submitted to the Parliament. She explained that the draft Law is of a framework nature and provides the main ‘structure’ for SEA and EIA procedures including also an aspect of health effects. The scope of SEA application has been defined in accordance with the UNECE Protocol on SEA and the EU SEA Directive with the screening mechanism included. She explained the main stages of SEA procedure as they are stipulated in the draft Law, and compared them with the steps outlined in the Protocol on SEA.

The topics discussed after introducing the SEA concept and the draft national legislative framework included:



- Linkages between SEA and EIA i.e. if SEA can replace EIA;
- How SEA will be linked to the state ecological expertise (SEE);
- How SEA can affect the design of the plan/programme;
- If the plans to be developed by the State Oil Company of Azerbaijan Republic (SOCAR) should also undergo SEA;
- What funding SEA application will require;

The next six sessions were dedicated to selected SEA stages and steps – scope of SEA application and screening, linking SEA and planning, scoping, preparation of SEA report, SEA and decision-making, and monitoring. Each topic was introduced by explanation of the purpose and objectives of a given steps, followed by the main guiding principles for its efficient application illustrated by the case examples. Group work was organized for several topics aiming at providing a room for identification of practical challenges related to SEA application in Azerbaijani context (see Annexes 3 – 5). The sessions were jointly facilitated by Ms. Aysel Babayeva and the national and international consultants to UNECE.

The topic of the scope of SEA application raised the questions regarding SEA of the sectoral roadmaps/state programmes/action plans. Obviously, detailed analysis is needed to clearly determine which documents should be a subject to SEA. Also, it would be important to consider national decision-making scheme, e.g. in Azerbaijan the government decides about land use function at the municipal level.

In the discussion regarding the linkages between SEA and decision-making, the participants emphasized consultations as an important means to ensure SEA recommendations are properly considered in plans or programmes.

The last session was dedicated to the practical aspects of SEA implementation i.e. the issues related to the management and coordination of SEA procedure, specific tasks of planning agencies in specific SEA steps, role of environmental consultants, budgetary issues, etc.

In the concluding discussion, representatives of the Ministry of Economy, Department of Sustainable Development, raised the issue of the links between SEA and SDGs. She mentioned a new working group that was established under the Ministry of Economy, in order to facilitate integration of SDGs in relevant national plans and programmes. Ms. Babayeva pointed out that SEA can support the alignment of plans, strategies with SDGs (e.g. renewable energy), and therefore cooperation between MENR and the Ministry of Economy is essential.

After the concluding session, Ms. Babayeva, thanked the participants for their active involvement.



## 4. Conclusions

The following conclusions can be summarized from the discussions within the event:

Further development of the SEA system in Azerbaijan will require continuation of capacity building to coordinate and carry out SEA procedures – environmental and health authorities, planning agencies, as well as experts and practitioners can be considered as the key target groups. Awareness raising on SEA benefits and the importance of public participation among decision-makers and the public, respectively, is also needed. Efficiency of SEA application highly depends on proper understating of SEA process by senior management. For this, pilot SEAs in various economic sectors may provide opportunity for hands-on experience for relevant stakeholders and can be efficiently combined with trainings and workshops.

It was mentioned that after adopting the revised Law on EIA, that was prepared a national framework for SEA and EIA, an effort will have to focus on preparing and adopting the secondary legislation to provide detailed implementing mechanisms.

Also, introducing the training scheme on SEA (and EIA) for experts from environmental and health authorities and the practitioners was seen as important steps towards enhancing the quality of SEA/EIA in the country.





## 5. Public visibility of the event

The information about the workshop were disseminated by the Ministry through the letters to relevant stakeholders including governmental organisations and academia, as well as the information was provided on the official website of the Ministry.

After the event, the presentations and other materials were published at the Ministry's and UNECE's websites.

## 6. Annexes

### 6.1 Annex 1: List of participants

#### Greening Economies in the European Union`s Eastern Partnership Countries (EaP GREEN): From Commitments to Results

##### Training on SEA and EIA component within the EU EaP GREEN

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**Start Date: Wednesday, April 4, 2018**

**End Date: April 5, 2017**

**Participants: 31**

**Female participants: 11**

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## 6.2 Annex 2: Agenda

# Training workshop on implementation of strategic environmental assessment (SEA) procedure in Azerbaijan

4 – 5 April 2018

Central Park Hotel  
Baku, Azerbaijan

### Background

The training workshop on implementation of strategic environmental assessment (SEA) procedure is organized by the Ministry of Ecology and Natural Resources of Azerbaijan in cooperation with the United Nations Economic Commission for Europe (UNECE) in the framework of the EU funded Programme ‘Greening the Economies in the Eastern Neighbourhood’ (EaP GREEN).<sup>1</sup>

The aim of the event is to support application of the SEA procedure as stipulated by the draft Law on Environmental Impact Assessment (EIA), which was recently submitted to the Parliament. The objectives of the workshop can be defined as follows:

- To raise awareness among the participants about the recent development of the national legislation on SEA;
- To introduce main benefits of SEA, key stages of SEA process, and roles and responsibilities of main actors involved in SEA;
- To facilitate debate about practical steps and arrangements for application of SEA in Azerbaijan after adoption of the Law on EIA.

### Participants

The workshop will invite up to thirty representatives of planning authorities/sectorial ministries, civil society, academia and interested national experts on EIA/SEA.

### Agenda

#### Day 1

<b>09.00 – 09.30</b>	<b>Registration of participants and welcome coffee</b>
<b>09.30 – 09.45</b>	<p><b>Opening of the workshop and welcome of the participants</b></p> <p><i>Aysel Babayeva, Focal point to UNECE Espoo Convention on transboundary Environmental Impact Assessment, Representative of the Ministry of Ecology and Natural Resources of Azerbaijan (MENR)</i></p> <p><i>Representative of EU Delegation to Azerbaijan (tbc)</i></p> <p><i>Martin Smutny, EaP GREEN project coordinator, consultant to UNECE</i></p>
<b>09.45 – 10.15</b>	<b>Introduction to the UNECE Protocol on SEA (SEA) and technical assistance within EU</b>

<sup>1</sup> The EaP GREEN programme is implemented with the financial support of the European Union and other donors, and is jointly implemented by the four partner organisations: OECD, UN Environment, UNECE and UNIDO. More information can be found at <http://www.green-economies-eap.org/>.



	<p><b>funded EaP GREEN Programme</b> <i>Presentation by Mr. Martin Smutny, EaP GREEN Project Coordinator, consultant to UNECE</i> <i>Questions and answers</i></p>
10.15 – 11.00	<p><b>Introduction to SEA – principles of efficient application, main stages and key actors, case examples from EU countries</b> <i>Presentation by Mr. Matthew Cashmore, consultant to UNECE</i> <i>Questions and answers</i></p>
11.00 – 11.30	<p><b>Coffee break</b></p>
11.30 – 12.00	<p><b>Main steps of SEA procedure as stipulated by the draft Law on EIA</b> <i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources</i> <i>Questions and answers</i></p>
12.00 – 13.30	<p><b>Scope of SEA application and screening</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (30 min)</i></li> <li>• <b>Legal requirements of the draft Law on EIA</b> <i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources (15 min)</i></li> <li>• <b>Group work and presentation of the results</b> <i>Exercise and discussion on how to identify plans and programmes which may require SEA, facilitated by Ms. Aysel Babayeva, Mr. Matthew Cashmore, Mr. Fikret Jafarov (national SEA expert), and Mr. Martin Smutny (45 min)</i></li> </ul>
13.30 – 14.30	<p><b>Lunch</b></p>
14.30 – 16.00	<p><b>Linking SEA and planning</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (30 min)</i></li> <li>• <b>Legal requirements of the draft Law on EIA</b> <i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources (15 min)</i></li> <li>• <b>Group work and presentation of the results</b> <i>Exercise and discussion on how to identify plans and programmes which may require SEA, facilitated by Ms. Aysel Babayeva, Mr. Matthew Cashmore, Mr. Fikret Jafarov, and Mr. Martin Smutny (45 min)</i></li> </ul>
16.00 – 16.30	<p><b>Coffee break</b></p>
16.30 – 18.00	<p><b>Scoping</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (30 min)</i></li> <li>• <b>Legal requirements of the draft Law on EIA</b></li> </ul>



	<p><i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources (15 min)</i></p> <ul style="list-style-type: none"> <li>• <b>Group work and presentation of the results</b></li> </ul> <p><i>Exercise and discussion on how to carry out scoping, facilitated by Ms. Aysel Babayeva, Mr. Matthew Cashmore, Mr. Fikret Jafarov, and Mr. Martin Smutny (45 min)</i></p>
<b>18.00</b>	<b>End of Day 1</b>

**Day 2**

<b>09.30 – 10.15</b>	<p><b>Preparation of SEA report</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (20 min)</i></li> <li>• <b>Legal requirements of the draft Law on EIA</b> <i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources (15 min)</i></li> <li>• <b>Discussion on how to prepare the SEA report</b> <i>Facilitated by Ms. Aysel Babayeva, Mr. Matthew Cashmore, Mr. Fikret Jafarov, and Mr. Martin Smutny (10 min)</i></li> </ul>
<b>10.30 – 11.30</b>	<p><b>SEA and decision-making</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (20 min)</i></li> <li>• <b>Legal requirements of the draft Law on EIA</b> <i>Presentation by Ms. Aysel Babayeva, Ministry of Ecology and Natural Resources (10 min)</i></li> <li>• <b>Discussion on how to link SEA results to adoption of plans and programmes</b> <i>Facilitated by Ms. Aysel Babayeva, Mr. Matthew Cashmore, Mr. Fikret Jafarov, and Mr. Martin Smutny (20 min)</i></li> </ul>
<b>11.30 – 12.00</b>	<p><b>Monitoring in SEA</b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to the topic and case examples from EU countries</b> <i>Presentations by Mr. Matthew Cashmore and Mr. Martin Smutny (20 min)</i> <i>Questions and answers (10 min)</i></li> </ul>
<b>12.00 – 12.30</b>	<p><b>Practical consideration for conducting SEA</b></p> <ul style="list-style-type: none"> <li>• <b>Linking SEA and planning, ToR for SEA, alternatives in SEA, implementation of SEA measures, financial issues etc.</b> <i>Introductory presentation and case examples by Mr. Matthew Cashmore and Mr. Martin Smutny (20 min)</i> <i>Questions and answers (10 min)</i></li> </ul>
<b>12.30 – 13.00</b>	<p><b>Concluding session</b></p> <ul style="list-style-type: none"> <li>• <b>Challenges for efficient SEA practice in Azerbaijan</b></li> </ul>



	<ul style="list-style-type: none"><li>• <b>Opportunities for developing SEA system</b> <i>Discussion facilitated by Ms. Aysel Babayeva and Mr. Fikret Jafarov,</i></li></ul>
<b>13.00</b>	<b>End of workshop</b>



### 6.3 Annex 3: Group work assignment on screening

## Training workshop on implementation of SEA in Azerbaijan

Baku, 4 – 5 April 2018

### Group work on screening

#### Assignment

Determine if SEA/EIA is needed for below outlined strategic documents and justify your decision. Use criteria stipulated by your national legislation or by the UNECE Protocol on SEA. Answer also following questions:

- Is the information available sufficient for screening?
- If not, what additional information would you need?
- What screening criteria / questions did you use?

#### Case examples

##### ***Example 1: AMENDMENTS OF MUNICIPAL SPATIAL PLAN OF RED HILL MUNICIPALITY***

The process of the amendments of Red Hill Municipality spatial plan has been initiated by the group of the land owners, who submitted the requested to the municipal council. The proposed amendment would change the functional use of altogether 15,000 m<sup>2</sup> of the land – from permanent grassland to the housing area. The land owners aim at building 10 family houses in the area for their own living.

The site borders with the urban area of the municipality from the south, with the agriculture land from east and west, and there is forest on the north side. The road connecting the houses with the main road and connecting the houses to the electricity network, sewage and water supply systems will be a part of the project.

##### ***Example 2: THE NATIONAL ENERGY STRATEGY***

The Ministry of Energy is initiating preparation of the national energy strategy. The strategy will define the energy priorities in the country i.e. primarily the energy mix and the domestic energy demand by 2030. The strategy will address all energy sources, which can be realistically utilized in the country.

##### ***Example 3: AMENDMENTS OF THE PROVINCIAL SPATIAL PLAN***

A Province has decided on amendments of the county spatial plan, which was adopted already in 2001 and amended two times previously. The suggested amendments include the following proposals:

- New tourist zone (on the coast), including aquapark and golf playground
- New sites for mariculture
- Two new economic zones (50 and 80 ha)



In order to meet the target on increasing the accommodation capacities for tourist, several municipalities are to be identified by the spatial plan where new hotels and pensions should be primarily developed.



**6.4 Annex 4: Group work assignment on the linkages between SEA and planning**  
**Training workshop on implementation of SEA in Azerbaijan**  
**Baku, 4 – 5 April 2018**  
**Group work on the linkages between SEA and planning**

**Assignment**

Please link main SEA steps with the planning stages of any plan or programme that you are familiar with and discuss the following questions:

- How would you link your SEA and the plan or programme-making process and why?
- What kind of obstacles to integration you might encounter?

You may wish to follow the structure outlined in a handout below (with examples of information which can be presented) and present the results of your work on the flipchart.

**Handout**

Steps in the planning process	SEA stages or tasks	Comments on potential obstacles to integration
Initiation of planning (decision no. XYZ)		
Analysis of the development in previous period	Decision on application of SEA	
...		
...		
....	Preparation of SEA report	It may be difficult to discuss proposals of SEA report with the planning team due to a very busy schedule of finalizing the strategic document
...		
Adoption of the strategic document by the Government		



## **6.5 Annex 5: Group work assignment on scoping**

### **Training workshop on implementation of SEA in Azerbaijan**

**Baku, 4 – 5 April 2018**

#### **Group work on scoping**

##### **Background information**

The Ministry of Energy initiated preparation of the National Energy Strategy (NES). The Strategy aims to define the energy priorities in the country i.e. primarily the energy mix and the domestic energy demand by 2030. The strategy addresses all energy sources including alternative energy sources, which can be realistically utilized in the country, and other related issues, i.e.:

- Energy efficiency
- Energy market reform
- Energy security
- Energy transmission infrastructure

At this point, the draft NES has been prepared, and is to be submitted to the inter-governmental consultations. After its finalization, the NES should be submitted to the Parliament and signed by the President.

##### **Assignment**

The Ministry of Energy considers launching SEA procedure for the National Energy Strategy (NES). Please suggest how the scoping should be organized (taking into account requirements stipulated by the draft national legislation), and in particular address following questions:

- Who should prepare the scoping report?
- How to ensure that environmental and health authorities and public are consulted on the scope of SEA?
- Can certain significant transboundary effects be expected? If so, how it should be considered in SEA procedure?
- How to communicate scoping outcomes with the experts preparing the NES?