

The updated information on the latest developments with regard to the adoption of national law on Environmental Impact Assessment and draft sub-regulatory acts

Dear all,

Let me announce that, the Law of the Republic of Azerbaijan on Environmental Impact Assessment was adopted by the Parliament of the Republic of Azerbaijan on 12th June 2018 number 1175 VQ and the Presidential Decree on the application of the Law was signed on 13th July 2018, both documents entered into force by 17 July 2018.

Taking this opportunity, on behalf of the Ministry of Environment and Natural Resources of the Republic of Azerbaijan we would like to kindly express highest appreciation to UNECE Espoo Convention Secretariat and European Union "Greening Economies for Eastern Partnership countries" program (EaP GREEN program) for provided technical assistance to the Government of Azerbaijan concerning capacity building activities on Environmental Impact Assessment/Strategic Environmental Assessment in 2014-2017 that helped in bringing about a conformity national legislation with Espoo Convention and its Strategic Environmental Assessment Protocol.

Besides, President of the Republic of Azerbaijan ordered to prepare sub-regulatory legal acts for implementation mechanisms thoroughly of abovementioned instruments and bringing the law into full compliance with national and international legal requirements. Speeding up the preparations, till the end of 2018, all sub-regulatory acts were drafted and submitted to the Cabinet of Ministers for inter-ministerial review. The list of those sub-regulatory acts:

1. draft regulations on Strategic Environmental Assessment (SEA)
2. draft regulations on Environmental Impact Assessment, including trans-boundary Environmental Impact Assessment
3. draft regulations on Certification of Environmental consultants and environmental organization
4. draft regulations on Control over Environmental Impact Assessment and Strategic Environmental Assessment
5. draft regulations on the State and public ecological expertise
6. charter of Expertise Commission (is established within the State ecological expertise process based on Environmental Protection Law)

It is worth to mention that the draft regulations on Environmental Impact Assessment, including trans-boundary Environmental Impact Assessment are prepared considering the previous international consultant's comments on procedural steps, including trans-boundary process. Currently, discussions with public authorities continue on their comments and recommendations with this regard. The review process is going to be finalized soon. We believe that the commitments under the Convention will be fully achieved till the 8th Meeting of the Parties by the adoption of those sub-regulatory acts by 2020.

It is important also note that, after the adoption of the Law, institutional changes have been launched at the Ministry of Environment and Natural Resources of the Republic of Azerbaijan by establishing a new Environmental Impact Assessment subdivision, as well as State Expertise Department was replaced by State Examination Agency and restructured. Institutional reforms are continuing subsequently.

At the same time, Ministry of Environment and Natural Resources of the Republic of Azerbaijan has started negotiations with the German Development Agency - GIZ acting on behalf of the German Federal Ministry of Economic Cooperation and Development (BMZ) to form review process of draft sub-regulatory acts by international and national consultants, as well as to organize round tables for ensuring participation of interested public, stakeholders in order to bring the drafts into compliance with international standards, in particular with Espoo Convention, as set out a primary condition by the Ministry of Environment and Natural Resources of the Republic of Azerbaijan. UNECE Espoo Secretariat was unofficially informed about subsequent information and cooperation too.

Along with aforementioned steps taken by Azerbaijan, we are looking forward also to collaborate with UNECE on the work-plan activities of Espoo Convention which was adopted 7th Meeting of Parties and planned to be supported under EU4Environment Program for enhancing the national capacity on Environmental Impact Assessment and Strategic Environmental Assessment in the country during this inter-sessional period.

Thank you for your attention.