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Ministry of
Ecology and Natural Resources
of Azerbaijan Republic

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Virtual Roundtable on the Development of Secondary Legislation on EIA and SEA in Azerbaijan Presentation of the draft EIA and SEA Regulations

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Framework for the development of the draft Regulations on the Procedure and Duration of Environmental, including Transboundary Impact Assessment and on Strategic Ecological Assessment

Decree No 193 of July 13, 2018 of the President of the Republic of Azerbaijan on the Application of Law No 1175-VQ, dated June 12, 2018 of the Republic of Azerbaijan on Environmental Impact Assessment:

- Paragraph 1.1.3 – Determination of the procedure and duration of environmental, including transboundary impact assessment
- Paragraph 1.1.5 – Determination of the Procedure of Strategic Ecological Assessment

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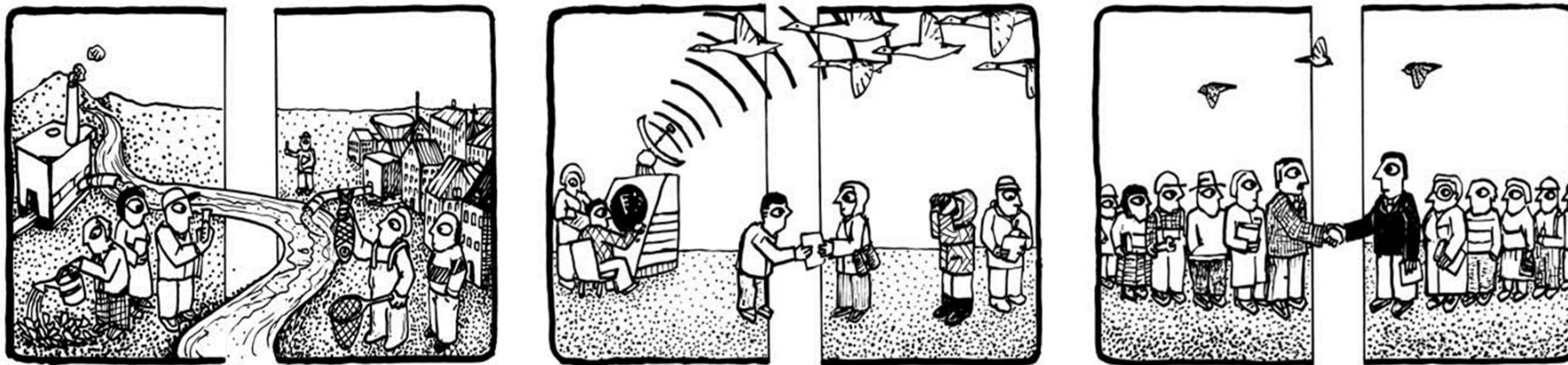
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Why transboundary EIA is needed?

- Countries may ensure both their environmental rights and those of other countries from the implementation of activities that may have a transboundary impact within or outside the country
- They get access to the international law tool to prevent, mitigate and control environmental pollution within or outside the country



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Adjustment of the legislation on EIA in a transboundary context to international law

- Article 2.2 of the Espoo Convention of UNECE on Environmental Impact Assessment in a Transboundary Context, to which Azerbaijan is a Party (1999)

This Article requires every State Party to take legal, administrative or other measures for the implementation of the Convention provisions related with the activity types envisaged in the Annex to the Convention, which may have a significant negative transboundary impact

The provisions of the Convention provides this mechanism.

- Relevant decisions - Decisions V/4, VI/2 and Decision IS/1c (it was the last decision -2019) – adopted by Meetings of the Parties on the issues reviewed with the initiative of UNECE about the compliance of AR with the Convention provisions

Although the last Decision IS/1c, dated June 12, 2018, expresses satisfaction with the adoption of the EIA law, it also states that the country is still non-compliant under Article 2.2 due to not adopting the concerned draft regulations.

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5 draft Regulations and 1 draft Instructions have been drafted. The current status of the documentation:

- Regulations for Control under EIA and SEA - **adopted**
- Regulations for Expert Commission - **adopted**
- Regulations on the Form of the Certificate of Qualification for EIA assessors and the issuance, termination of the validity, or cancellation of the certificate, and the procedure of registration of EIA assessors and organizations assessing the environmental impact, and control over their activity – **adopted**
- Regulations for State and Public Ecological Expertise – **adopted**
- Regulations for SEA - **not adopted yet**
- Regulations for the Determination of the Order and Duration of Environmental, including Transboundary Impact Assessment - **not adopted yet**

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Technical Assistance Programs

- **EU EaP GREEN /UNECE Action Plan for 2014-2017 and 2017-2019**

The legislation on EIA and SEA has been drafted in compliance with the international law. Conclusion: The Law on Environmental Impact Assessment was adopted (No 1175VQ, dated June 12, 2018)

- **GIZ**

The Draft EIA and SEA Regulations have been adjusted to the applicable international legislation and the Espoo Convention. New drafts have been made after comments and proposals of agencies.

- **EU4Environment /UNECE Action Plan for 2019-2022**

The adjustment of the draft EIA and SEA Regulations to the Espoo Convention and its Protocol on SEA, as well as other applicable relevant international legislation has been completed this year.

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Thank you for your attention!

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