

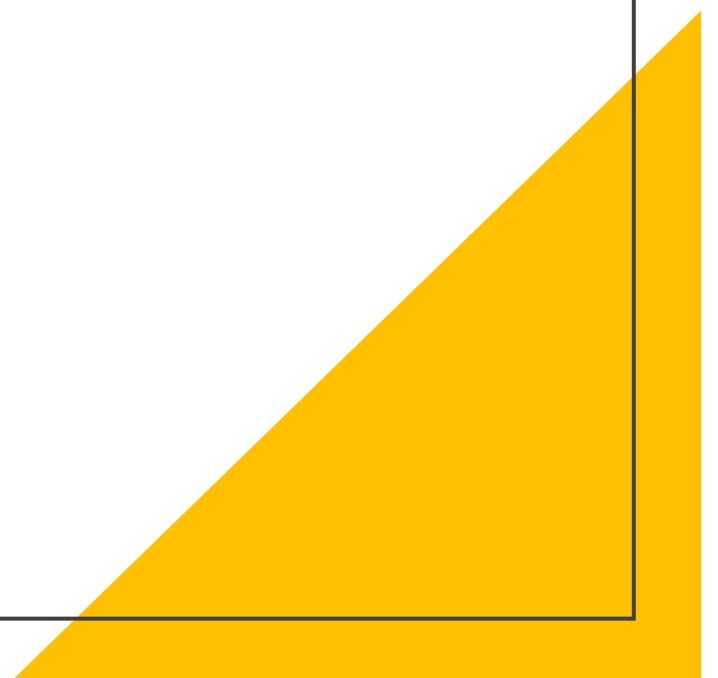
SEA in Azerbaijan : Legal and Practical Experience

Current Status of National Legal Framework for SEA

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Baku, 26-27 April, 2021



Legal Experience

- Law on Environmental Protection, 1999
- Chapter 3 and relevant provisions of Law on Environmental Impact Assessment of the Republic of Azerbaijan, dated June 12, 2018 and numbered 1175-VQ.
- Regulations for Control Over EIA and SEA – adopted (02.10.2019/No 425)
- An instruction to set forth the Regulations for the Application of Strategic Ecological Assessment was made under Subdivision 1.1.5 of Decree numbered 193 and dated July 13, 2018 of the President of the Republic of Azerbaijan on The Application of Law numbered 1175-VQ and dated June 12, 2018 on Environmental Impact Assessment of the Republic of Azerbaijan

National Legal Framework for SEA and Its Current Status

*In general, 5 Regulations
and 1 Guidelines have
been drafted for
environmental impact
assessment, which are
directly and indirectly
related to SEA:*

- Regulations for Control Over EIA and SEA - adopted (02.10.2019/No 425)

- Guidelines for Expert Commission Applying State Ecological Expertise - adopted (05.02.2020/No 31)

- The Regulations for the Form and Issuance of Professional Certificates for EIA Assessors, Termination of Their Validity Term Or Cancellation of Them, and the Regulations for Register of EIA Assessors and Environmental Impact Assessment Institutions and Control Over Their Activity – adopted (27.11.2019/No 457)

- Regulations for Application of State and Public Ecological Expertise – adopted (21.05.2020/No 184)

- Regulations for SEA Application – passed the procedure of internal consultations – Submitted to the Cabinet of Ministers – **waiting for adoption**

- Setting forth the procedure and duration of environmental impact assessment, including transboundary impact assessment – passed the procedure of intra-governmental consultations- **waiting for adoption**

Key Requirements for Legal Application of SEA:

SEA Objectives:

- Draft strategic documents for agriculture, forestry, fishery, energy, industry, transport, waste and water management, land use, tourism and telecommunication;
- Draft urban planning documents;
- Projects deriving from international and concession agreements in environmental protection and environmental safety, to which Azerbaijan is a party.
- SEA is not applied to strategic documents related to emergency cases, state defense, and financial and budgetary issues

Note: Prepared strategic documents (plans, programs, strategies and conceptions) shall contain the future implementation of the activities listed in the Annex to the Law on Environmental Impact Assessment

Practical Application of SEA:

- A draft strategic document is drafted by the planning authority
- Consultations with other institutions are held
- Public hearing is held and the public issue an opinion
- The SEA document is submitted for ecological expertise by the planning authority, and a relevant opinion is issued.
- The strategic document revised according to this opinion is submitted to the relevant executive authority making the final decision.
- if there are any issues not agreed with the opinion, the opinion of the ecological expertise is submitted together with the document to the relevant executive authority.

SEA has been applied to 2 draft plans up to now:

- *SEA for Master Plan of Baku*
- *Renewable Energy Strategy for 2015-2020*

Considering the ecological situation significantly affected in the freed territories during the Armenian occupation and the current intensive planning activities for the recovery of these territories by relevant authorities, the Ministry of Ecology and Natural Resources has started promotional actions due to the importance of the SEA application

It has been already planned to apply the SEA in these areas by a range of planning authorities.

Thank you!