

Questionnaire for the report of AZERBAIJAN on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019–2021

Information on the focal point for the Convention

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Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not its experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?

- (a) Yes
- (b) Yes, with some minor differences (please explain the differences): X
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

Your comments:

According to the Law on Environmental Protection of Azerbaijan Republic (1999), Article 1, the definition of “impact” is explained under the definition “harmful impact to the environment”.

Law on Environmental Impact Assessment (2018) and Law on Environmental safety (1999), also using the relevant terminology of that Law, additionally describes “ecological risks” and “ecological hazards”, “EIA” which explains definition of “impact” indirectly.

In whole packet of legislation, those definitions are consistent which are compatible with the respective purpose of Convention in general.

I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?

- (a) Yes, the same
- (b) Yes, with some minor differences (please explain the differences): X
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation

Your comments:

According to the Law on Environmental Impact Assessment (2018), the same terminology was given under item 1.1.12 “trans-boundary impact”. This item defines “trans-boundary impact” as adverse effects on the environment and human health in two or more countries as a result of the proposed activity. Here the numbering “two or more” is legal term, and includes country itself.

I.1.3. Please specify how the term “major change” is defined in your national legislation:

- (a) It is not defined
- (b) By using thresholds X (Please explain: See below)**
- (c) By using criteria (Please explain:)
- (d) On a case-by-case basis (Please explain:)

Your comments:

Law on EIA (2018) explains “major changes” in general way under Article 4.21 without direct explanation of definition. It is explained in indirect way as a screening procedure, mainly for existing activities that were commissioned and no EIA was conducted before this Law entered into force. Article says, “if project conditions for use of natural resources are not relevant with ecological requirements on impacts to environmental indicators or new technology and technological methods which are projected to be applied different than that of project elements launched under previous project, EIA should apply accordingly”. It is a baseline for concluding whether EIA is required or not for existing projects considering mentioned major changes.

The law on Environmental Protection Law, Chapter VII which establishes baseline for legal understanding of such “changes” in proposed activities, mainly on ecological requirements for industrial and other economic activities during the construction, reconstruction, commissioning, termination or restoring period. Under this Law, Ministry of Ecology and Natural Resources (MENR) is indicated as a competent authority to conclude over it and stakeholders should consult with it on the matter.

Description of the role and functions of relevant authority on State Environmental Expertise is depicted in the Chapter VIII (Art.54-58) of EP Law.

I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project X**
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned X**
- (c) By other means (please specify):

Your comments:

Public is any individual citizen or civic community institutions, public groups that claim to be affected by national legislation. See legal background:

The Law on EP (1999, Article 6-7), Law on EIA (12 June 2018), Law on Right to Obtain Information (18 December 2005), Law on Access to Information on Environment (12 March 2002), Law on Public Participation (1 June 2014) ensures rights for each citizen, legal and physical person. That legislation maintains public to obtain the information on environment and to participate in any cases concerning their constitutional right of living in clean and health environment. At the same time, to raise their opinion, propose and require the necessary steps towards (or cancellation) the harmful economic and industrial activities.

The Law on EIA, Article 4.10 explains the obligations of project initiator on public hearing, that provision includes in the public concerned in that condition as “the physical persons living in the project area, legal entities and owners of the properties in the project area”.

Law on Public Participation (2014) describes civic community institutions subjects as non-governmental organizations (public unions and funds), groups initiated by citizens, municipal local committees, mass information sources and identifies forms of public participation, including the form of public hearing and public consultations. They are major participatory

elements required for EIA procedure too, referred in the Law on Environmental Impact Assessment (2018) maintaining the main principles of environmental impact assessment (public awareness and consideration of public opinion).

Azerbaijan ratified I Amendment to the Espoo Convention in 2019. The identification of public concerned will be also followed as stipulated under the relevant Article 1 (X) of the Convention.

In general, the meaning of “public concerned” is compatible with national legislation and practice.

I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?¹ Please specify (more than one option may apply), providing relevant explanations:

- (a) By establishing threshold levels (please explain)
- (b) By applying criteria related to the location of proposed activities X
(please explain)
- (c) By applying criteria related to the nature of proposed activities X
(please explain)
- (d) By applying criteria related to the size of proposed activities X
(please explain)
- (e) By applying criteria related to the effects of proposed activities X
(please explain)
- (f) Other (please explain):
- (g) It is not determined (please explain:)

Your comments:

The Annex I to the domestic Law on EIA includes the List of activities that are considered subject to EIA and it is mandatory to apply EIA. The list is compatible with the Espoo Convention Annex I List of Activities.

While, some activities in domestic law on EIA have certain and precise parameters (for examples parameters of wind farms, irrigation lands which based on existing relevant national legislation requirements, or others stemmed from the list of EU Directive on EIA). For proposed activities those which have slight difference with determined parameters, or not included to that list (but may have risks to environment) screening is conducted by MENR to identify the significance of environmental impact.

While, Law on EIA has not relevant provisions to explain those criteria in detail, MENR is using the criteria set in the Convention Appendix III as an integral part of national legislation due to Constitutional Law of Azerbaijan.

At the moment, draft Regulation on EIA as sub-regulatory act includes general criteria for “significance” of the environmental impact of the activities as mentioned in above responses following the Appendix III of the Convention. After adoption of draft regulations, it is planned next step to develop separate guideline document for broad explanation of criteria on the activities that do not include in the list of the activities in EIA Law.

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

- (a) Yes, the legislation provides for taking into account cumulative impacts:

¹ Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

Please explain:

(b) No, the legislation does not provide for taking into account cumulative impacts X

Please explain:

Although there is no direct reference on this definition on EIA Law, in practice MENR using existing resources and guidelines on its assessment process and takes into account the cumulative impacts of proposed projects.

1996 Guideline on “EIA process in Azerbaijan”, Article 3.2.2 includes definition of “*potential impacts of project to environment*” in the content of EIA document, that explains the assessment of such impacts within the criteria like “direct/indirect, locational or beyond, sharp/chronically, short-term or long-term, **disposable or cumulative**, passing/irreversible”.

Your comments:

Article 2

General provisions

I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any):

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation):

(c) Regulation (please indicate number/year/title/related articles/access links): X

(d) Administrative (please indicate number/year/title/related articles/access links): X

(e) Other (please specify):

Please explain:

The Law of the Republic of Azerbaijan on Environmental Impact Assessment was adopted on 12 June 2018 with number 1175 VQ and the Presidential Decree on the application of the Law was signed on 13 July 2018. According to the Decree of The President of the Republic of Azerbaijan 13 July, 2018, for implementation of mechanisms of EIA/SEA procedure thoroughly and bringing the law into full compliance with national and international legal requirements 6 subregulatory acts were ordered to be drafted and submitted to the Cabinet of Ministers for inter-ministerial review. Current status of those drafts:

- Draft “Regulations on Certification of Environmental consultants and environmental organizations” - adopted, Decree of Cabinet of Ministers - 27.11.2019/number 457

- Draft “Regulation on Control on EIA and SEA” - Draft “Regulations on State Environmental expertise” – adopted, Decree of Cabinet of Ministers - 02.10.2019/number 425

- Draft “Guideline on Expert Commission within expertise process” - adopted 05.02.2020/number 31

- Draft “Regulations on State and Public Ecological Expertise” – adopted Decree of Cabinet of Ministers - 21.05.2020/ number 184

- Draft “Regulations on EIA, including trans-boundary EIA” – prepared with international experts and passed inter-ministerial review, submitted Cabinet of Ministers, **not adopted yet**

- Draft “Regulations on Strategic Environmental Assessment (SEA)” - prepared with international experts and passed inter-ministerial review, submitted Cabinet of Ministers, **not adopted yet**

Latter drafts on EIA and SEA are developed with the assistance of UNECE under the EU4Environment program in 2020. The drafts has been disclosed to public in the round table held in 2020 with the assistance of EU4Environment program. Inter-ministerial review process finalized in 2021 and drafts submitted to Cabinet of Ministers.

After the adoption of the Law on EIA, institutional changes under MENR have been launched - new EIA subdivision were established and State Expertise Department was replaced by State Examination Agency and restructured.

I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country’s national legislation?

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation

Please elaborate, as needed:

Yes. All activities referred to in appendix I are covered by national legislation, while there are slight differences.

(b) **No. Activities covered by national legislation differ slightly from the activities referred to in appendix I - X**

Please explain:

Law on EIA, Annex 1 includes in all activities based on Espoo Convention Annex 1 with some modifications or additions triggered from national legal normative base and other international standards, in particular EU Directives.

For example, Espoo Convention Annex 1 does not define precise parameters for “large-diameter oil and gas pipelines”, however, based on relevant parameters in EU EIA Directive and national normative documents, in the Law on EIA it was adjusted.

Some activities were additionally included in, for example, renewable energy resources considering their specific capacity scale determined in existing respective domestic legislation and increasing demand of such energy resources.

Other example, might be constructions on national water fund resources, like artificial islands also considered to be in the list, taking into account expected environmental consequences of such activities in the Caspian Sea which is closed lake basin and etc.

The national list in general is compatible with Espoo Convention’s list of activities.

According to the Constitution of Azerbaijan Article 148 (1995) and the Decree of the President of Azerbaijan Number 616, on 1 February 1999, the respective provisions of Espoo Convention and its Annexes are required to be applied the same as an integral part of national legislation. Therefore, if any differences are revealed Espoo Convention list has prior force to be applied.

Azerbaijan also ratified II Amendment of Espoo Convention in 2019, September, which new amended list is also an integral part of national legislation now.

At present, this is practical approach within EIA screening examination of proposed projects by State Ecological Expertise Department of MENR.

(c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:

- (a) There are different authorities at the national, regional and local levels
- (b) Authorities are different for domestic and transboundary procedures **X**
- (c) Authorities are the same for domestic and transboundary procedures

Please name the authority/authorities and its/their responsibilities:

Ministry of Ecology and Natural Resources (MENR) have responsibility control over the EIA/SEA as a competent state authority.

MENR is responsible competent authority which issue environmental conclusions (decisions) to the economic activities, thus it implements state environmental expertise process on EIA documents (Law EP, Article 54, EIA law, Article 4.3) and who developers consult with during the EIA process and gets issued SEE conclusion for proposed activity.

MENR issues environmental permit to proposed activity via EIA documents prepared by project initiators and follows up the EIA process and implementation of conditions set out in its environmental issuance document. Project proponent is responsible to conduct EIA after preliminary consultations with MENR and determination scope of assessment (EIA law, Article 4.4).

Responsibility of MENR by EIA law, as a competent authority, is to ensure EIA process are conducted properly by project proponent within national and international legislation and norms.

Ministry of Foreign Affairs (MFA) is points of contact for trans-boundary EIA procedure under Espoo Convention determined by the Government. While, control over EIA procedure itself are under responsibility of MENR and MFA should coordinate all related required correspondence and information exchange with MENR during trans-boundary consultations.

I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:

- (a) No
- (b) Yes **X**

If “Yes”, please clarify the type of information collected and provide access link, if available:

MFA and MENR

Your comments:

A point of Contact under the Convention – Ministry of Foreign Affairs is a major competent authority identified to collect information on the trans-boundary EIA cases and coordinate it.

MENR and its relevant bodies (especially, State Environmental Expertise Agency) have responsibilities and rights under the Law on EP Chapter 2, Art. 4.1.10, Art. 4.2.5 and 4.2.6 to disseminate control and establish international cooperation over the environmental protection issues. If any information related trans-boundary EIA cases is received, MENR has responsibility to inform and coordinate all information with MFA in face of points of contact to Espoo Convention. In opposite case, MFA should coordinate all related required correspondence and information exchange with MENR during trans-boundary consultations.

Article 3 Notification

I.3.1. Article 3 (1) states that: “The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.” As a Party of origin, when do you notify the affected Parties?

- (a) During scoping
- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started X**
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments:

According to the Law on EIA, trans-boundary impacts should be defined while scoping and assessment process and should be included in EIA report (Article 5.3.6) which in next step will be submitted to the MENR for issuance of environmental permit and will be base for starting public consultations, including informing the Affected Party. This phase is obligatory for public consultations, which in that context public of Affected Party should be informed no later than informing its own public.

Drafted secondary legislation on “EIA, including trans-boundary EIA” to the Law on EIA explains process in detail. It includes provision on possibility of public consultations in scoping phase as well, depending on the project proponent and it is not obligatory in this stage.

I.3.2. Please define the format of notification used in your country:

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)**
- (d) The country has its own format (please attach a copy)
- (e) No official format used

Your comments:

Both a and b respond conditions are applicable which are in line with Espoo Convention requirements.

I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a)) X**
- (b) The nature of the possible decision (art. 3 (2) (b)) X**
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c)) X**
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))
- (e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))

(f) Other (please specify):

Your comments:

I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:

(a) **No, the time frame is not specified in the national legislation**

Notification timeframe is indicated by 30 days based on drafted regulation on “EIA, including transboundary EIA”. At the moment national legislation does not cover the exact time frame.

(b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days:

(c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days:

I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:

Your comments:

Drafted regulation on “EIA, including trans-boundary EIA” does not define possibilities for an extension of deadline. It is indicated in draft regulation that - if the affected Party indicates that it does not intend to participate in the environmental impact assessment procedure, or if it does not respond within the time specified in the notification, transboundary EIA will not be applied.

I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:

(a) **Informing the point of contact for the Convention listed on the Convention website²**
X

(b) Other (please specify):

Your comments:

I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:

(a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin

(b) **Based on the opinion of the competent authorities of the affected Party X**

² List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

(c) Based on the opinion of the competent authorities and of the public of the affected Party

(d) Other (please specify):

Your comments:

MFA and MENR are the competent authorities for decision-making on transboundary EIA procedure.

I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.

How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:

(a) Following the rules and procedures of the Party of origin

(b) Following the rules and procedures of the affected Party/ies

(c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:

Drafted regulation on “EIA, including trans-boundary EIA” Article 5.10 states that – “ the duration of transboundary consultations are determined between the affected country and party of origin reciprocally taking into account the scope of the project from the date of the positive response to the request submitted by the Affected country.”

(d) Other (please specify):

Your comments:

Articles 2 (6), 3 (8) and 4 (2) Public participation

I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.”

How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?

(a) As an affected Party:

(i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure X

(ii) Specified in the national legislation as follows:

Your comments:

(b) As a Party of origin:

(i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

(ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure

(iii) Specified in the national legislation as follows: X

National legislation on EIA, Article 4.22 and 5.3.6 requires to identify transboundary impacts during scoping phase and conduct transboundary EIA in accordance with international agreements ratified by Azerbaijan (in that context Espoo).

Drafted regulation on “EIA, including trans-boundary EIA” in Article 5.8 states that informing the affected country (or countries) should begin no later than the national public consultation.

Article 5.6 in draft regulation states: “While approving the scope of the EIA, the Ministry of Ecology and Natural Resources shall notify the Ministry of Foreign Affairs of the Republic of Azerbaijan about significant transboundary impacts on the territory of another country, in case of this is revealed during scoping”.

These provisions ensures the decision-making about the need of notification of Affected country as early as possible as indicated in Espoo Convention provision 3.1 and maintains equal opportunities for public of Affected Party in an early stage of assessment, as it is not obligatory to conduct public participation in scoping phase due to national legislation.

Article 6.8 in draft regulation states: “The required format and language of the EIA documentation, the date, time and place of the public hearing, the means of communication, the role of the competent authorities, as well as the project proponent involved in the transboundary impact assessment procedure, including funding are agreed in advance between the countries concerned.”

Article 7.2 in draft regulation: “In accordance with paragraph 6.8 of this Regulation, the population living in the affected areas, as well as the public interested in the process in the affected country, shall be informed using appropriate means of communication, and the opportunities shall be provided for public opinion and suggestions in consultation with affected country.”

Your comments:

I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):

(a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party X

(b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered X

(c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered

(d) Other (please specify):

Your comments:

Article 7.2 in draft regulation: “In accordance with paragraph 6.8 of this Regulation, the population living in the affected areas, as well as the public interested in the process in the affected country, shall be informed using appropriate means of communication, and the opportunities shall be provided for public opinion and suggestions in consultation with affected country.”

Article 6.8 in draft regulation states: “The required format and language of the EIA documentation, the date, time and place of the public hearing, the means of communication, the role of the competent authorities, as well as the project proponent involved in the transboundary impact assessment procedure, including funding are agreed in advance between the countries concerned.”

Article 4

Preparation of the environmental impact assessment documentation

I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (1)? Please specify (more than one option may apply):

- (a) By using appendix II
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments received from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify):

Your comments:

EIA law (2018) includes Article 5 which contains relevant information to be included to EIA document and it is in compliance with Espoo Convention Appendix II.

If transboundary consultations start in the phase of scoping, where applicable, information may include available data for scoping, including further the information based on comments received from the authorities and public, if such public hearings are decided to be organized on concerned parties in that stage.

I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:

- (a) The competent authority checks the information provided and ensures that it includes all information required under Appendix II as a minimum before making it available for comments
- (b) By using quality checklists based on the requirements listed in appendix II
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

In addition, Regulation on implementation of control over EIA and SEA (Decision of Cabinet of Ministers number 425, on 02 October 2019) Article 1.3 identifies *state and public control mechanisms on EIA and SEA*.

According to the Law on EIA - Article 5, Law on EP - Article 54 and Guideline on EIA Process - Article 3.2.2, in particular Article 1.4 of the “Regulation on implementation of

control over EIA and SEA” the *state quality control* mechanisms on EIA and SEA sector are maintained under supervision of MENR.

Article 1.5 of this Regulation, states that: “*public control* in the field of EIA and SEA is organized and implemented through public hearings and public discussions carried out on the initiative of physical persons and civil society institutions in accordance with the requirements of the laws of the Republic of Azerbaijan "On Public Participation", "On Environmental Protection" and "On Environmental Impact Assessment", regardless of state control.

Regulation specifies all quality control measures and administrative structure of MENR for this.

Espoo Convention and its Practical Guideline is also major baseline for application.

I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?

- (a) On a case-by-case basis X
- (b) As defined in the national legislation (please specify):
- (c) Other (please specify):

Your comments:

This definition is not directly addressed similar in current national legislation, including EIA law. The Law identifies assessment of alternatives in general, at least two option, especially indicating options to technological methods and BATs used.

Drafted secondary legislation on EIA explains scope of the EIA, indicating a requirement for scoping information on alternatives related to “technological and other identified options”.

Article 5 Consultations on the basis of the environmental impact assessment documentation

I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?

- (a) Yes, it is obligatory
- (b) Yes, it is optional (please specify):
- (c) No, it does not have any provision on that

Your comments:

According to the Law on EIA, trans-boundary impacts should be defined while scoping and be included in EIA report (Article 5.3.6). Law on EIA refers secondary legislation and international agreements ratified by Azerbaijan for trans-boundary procedure in that respect. No specific explanations are reflected in the Law on EIA.

Law on Environmental Protection (1999) also includes provisions on engaging the international experts and professionals of affected parties during the ecological expertise process of proposed activities for consultations on trans-boundary environmental issues and be reflected in the results.

The procedure explained in details in draft secondary legislation on “EIA, including trans-boundary EIA”. Article 5.4 of draft regulation states that “if there is potential significant trans-boundary environmental impacts are expected from proposed activity to other countries territory, trans-boundary EIA should be ensured.” Draft regulations specifies steps starting from notification process, including trans-boundary consultations and conditions for it.

If no notification has been done, such transboundary consultations are implemented based on request of Affected Party referring to Article 6.9, 6.10, 6.11 and 6.12 of draft regulation.

Article 6 Final decision

I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (2)
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party/ies
- (f) Mitigation measures
- (g) Other (please specify):

Your comments:

I.6.2. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6 (1))?:

- (a) Yes
- (b) No Please explain the differences

Your comments:

I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?

- (a) No
- (b) Yes, by legislation (please specify):
- (c) Yes, by other means (please specify):

Your comments:

EIA Law does not define this procedure in its provisions. While draft secondary legislation on "EIA, including transboundary EIA" Article 6.11 and 8 explains this procedure.

At the moment, if such procedure occurs, Espoo Convention will be applied as an integral part of national legislation.

I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?

- (a) Yes
- (b) No

If “No”, please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

Article 7 Post-project analysis

I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?

(a) No

(b) Yes Please specify:

Your comments:

Draft secondary legislation on “EIA, including transboundary EIA” Article 8 (8.1, 8.2, 8.3 and 8.4) specifies this procedure in accordance with respective Espoo Convention provision.

Article 8 Bilateral and multilateral cooperation

I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”

Has your country established any bilateral or multilateral agreements to implement the Convention?

(a) No

(b) Yes Please specify with which countries:

The Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention) assigned five Protocols to the Convention in thematic areas which one of them is the Protocol on Environmental Impact Assessment in a Trans-boundary Context. Protocol was adopted and signed at the first Extraordinary Meeting of the Conference of the Parties in Moscow, Russian Federation, on 20 July 2018 and ratified by Azerbaijan in 2019.

Caspian Sea littoral countries - Russia, Kazakhstan, Turkmenistan, Azerbaijan has ratified the Protocol (Iran only signed, not ratified)

If publicly available, please also attach the texts of any such bilateral and multilateral agreements, preferably in English, French or Russian.

Your comments:

Please, see the info about the Protocol: <https://tehranconvention.org/en/tc/protocols>

I.8.2. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

(a) Specific conditions of the subregion concerned

(b) Institutional, administrative and other arrangements

(c) Harmonization of the Parties’ policies and measures

(d) Developing, improving and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis

- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the environmental impact assessment
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

The objective of Protocol on Environmental Impact Assessment in a Transboundary Context of Tehran Convention is to implement effective and transparent environmental impact assessment procedures in a transboundary context to any proposed activity which is likely to cause significant transboundary impact on the marine environment and land affected by proximity to the sea in order to prevent, reduce and control pollution of the marine environment and land affected by proximity to the sea, promote conservation of its biodiversity, and rational use of its natural resources, and protect human health.

Tehran Convention TRnasboundary EIA protocol is aligned with Espoo convention.

Complimentary information related to legal implementation of the Convention

I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a trans-boundary procedure, if any:

Alternatively, this question can be answered or supported by a schematic flow chart showing these steps.

Your comments:

National legislation does not define different procedures for domestic and transboundary EIA procedure.

The EIA law (2018) explains “trans-boundary impact” and sets out obligations for the project proponents to assess trans-boundary impacts and for country to notify affected party in an early stage. EIA Law refers to international agreements Azerbaijan is a party and subsequent regulation.

Thus, procedural mechanisms of trans-boundary EIA is drafted in secondary “Regulation on EIA, including transboundary EIA” on a step-by-step basis. Draft regulations on “EIA , including transboundary EIA”, requires from the project initiator to start consultation with MENR at an initial stage of EIA – during scoping phase, which should include in trans-boundary impacts (Article 4.4 and 5.3.6). All transboundary steps then interlinked with domestic EIA steps.

Transboundary notification is required to be started depending on commencing public hearing stage for domestic EIA. For example, disclosing EIA report to public. This stage at least need to be followed by transboundary public hearings soon, if there were not scoping consultations with public in domestic level.

List of activities in Annex 1 of EIA law complies with Espoo Convention Annex 1 and EIA Directive 85/337/EC and its latest amended directives where no screening is needed for application of EIA to those activities. While, significance of the transboundary impacts may vary depending on criteria envisaged in Article 5.9 of draft regulations. At the same time, if Affected Party considers him affected and impacts of proposed activity significant, draft regulations specifies the steps for consultation with this regard.

In any consistency, Constitution of Azerbaijan Article 148 (1995) and the Decree of the President of Azerbaijan Number 616, on 1st of February, in 16 1999, establishes prerequisite obligation to implement the respective provisions of Espoo Convention and its Annexes, as an integral part of national legislation.

I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments:

Part two

Practical application during the period 2019–2021³

Please report on your country's practical experiences in applying the Convention (not your country's procedures, as described in part one), whether as a Party of origin or as an affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improving its application.

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)^a and issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”.^c

^a United Nations publication, ECE/MP.EIA/32.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

A. List of transboundary procedures initiated during the period 2019–2021

II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.

Your comments:

There was no relevant practice during this period.

II.2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.

Your comments:

There was no relevant practice during this period.

II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:

- (a) Yes (my country has an objection the compilation and posting of this information)

³ Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

Please explain:

(b) No (no objection)

Your comments:

There was no relevant practice during this period.

B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021

Please share with other Parties your country's experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country's general experience. You might also include examples of lessons learned in order to help others.

There was no relevant practice during this period.

II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.

Your comments:

There was no relevant practice during this period.

II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):

- (a) In the official language(s) of the country Please specify:
- (b) Information in English is acceptable
- (c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments

There was no relevant practice during this period.

II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?

- (a) Experience with regard to translation of the environmental impact assessment documentation
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (b) Experience with regard to interpretation during consultation meetings with authorities
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
 - (i) As a Party of origin:

- (ii) As an affected Party:

Your comments:

There was no relevant practice during this period.

II.7. Which Party covers the cost of translation of environmental impact assessment documentation?

- (a) As a Party of origin:
(b) As an affected Party:
(c) Other, please specify:

Your comments:

II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?

- (a) As a Party of origin:
(b) As an affected Party:

Your comments:

There was no relevant practice during this period.

II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?

- (a) Yes Please explain how it has been addressed:
(b) No

Your comments:

There was no relevant practice during this period.

II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?

- (a) A full set of environmental impact assessment documentation is translated into English
(b) Selected parts of the documentation are translated in English
Please specify which parts are translated and how they are selected
(c) A full set of environmental impact assessment documentation is translated into the affected Party's language
(d) Selected parts of environmental impact assessment documentation are translated into the _____ language of the affected Party
Please specify which parts are translated and how they are selected
(e) Other (please specify)

Your comments:

There was no relevant practice during this period.

II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:

- (a) By the developer: Please explain:
(b) By the Party of origin alone: Please explain
(c) By the affected Party alone: Please explain
(d) Shared by both Parties concerned upon an agreement:

(e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:

(f) Other (please specify)

Your comments:

There was no relevant practice during this period.

II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:

(a) As a Party of origin:

(i) Experience with public participation

(ii) Experience with consultations under article 5

(b) As an affected Party:

(i) Experience with public participation

(ii) Experience with consultations under article 5

Your comments:

There was no relevant practice during this period.

While, in case of application following might be obstacles.

Some of the activities in the list of Annex 1 should be identified precisely. Annex 1 item (4), item (6), item (8), item (11), item (14), item (16), item (17), item (18) and item (22) activities' parameters and capacities are not determined. Some of them have clear parameters in relevant EU Directive. For example in the wording of the content of some of those activities like "large", "major" have no clear picture on their size, amount or scale, which are important to screen them for EIA application.

II.13. Has your country carried out post-project analyses in the period 2019–2021:

(a) No

(b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Your comments:

There was no relevant practice during this period.

II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>

If "Yes", please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects:
- (b) For construction of nuclear power plants:
- (c) For lifetime extension of nuclear power plants:

You may also wish to describe the example using annex III to the present questionnaire.

Your comments:

There was no relevant practice during this period.

II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:

Your comments:

There was no relevant practice during this period.

II.16. The Long-term strategy and the action plan for the Convention and the Protocol⁴ recommends enhancing the use of the networks of national focal points for administrative matters⁵ and points of contact for notification⁶ published on the website of the Convention. Does your country use the networks for contacting the affected Parties' authorities?

- (a) Yes, my country makes use of the networks X
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments:

There was no relevant practice during this period. The answer is in general context.

II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.

Your comments:

There was no relevant practice during this period.

II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both

Your comments:

There was no relevant practice during this period.

II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:

- (a) Biodiversity

⁴ ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

⁵ List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

⁶ List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

- (b) Climate change
- (c) Circular economy
- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure
- (g) Renewables
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

You may wish to use the template in annex III to the questionnaire.

Your comments:

There was no relevant practice during this period.

II.20. Please indicate whether, in your country's practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:

- (a) No
- (b) Yes

If "Yes", please provide at least one example of how cumulative impacts are considered.

Your comments:

There was no relevant practice during this period.

II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:

- (a) No
- (b) Yes

If "Yes", please provide at least one example of how health issues are taken into account

Your comments:

There was no relevant practice during this period.

II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

- (a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals
- (b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals
- (c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals

If “Yes”, please list the most relevant Sustainable Development Goals⁷ (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed to their attainment.

Your comments:

There was no relevant practice during this period.

⁷ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.

C. Experience in using the available guidance documents in 2019–2021

II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	<p>I use it X</p> <p>I do not use it <input type="checkbox"/></p> <p>Please specify:</p> <p>(i) I am not aware of the guidance <input type="checkbox"/></p> <p>(ii) The guidance is not relevant <input type="checkbox"/></p> <p>(iii) The guidance is outdated and needs revision <input type="checkbox"/></p>	It was used during legal improvement of national legislation and subsequent regulations during this term.
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	<p>I use it <input type="checkbox"/></p> <p>I do not use it X</p> <p>Please specify:</p> <p>(i) I am not aware of the guidance <input type="checkbox"/></p> <p>(ii) The guidance is not relevant <input type="checkbox"/></p> <p>(iii) The guidance is outdated and needs revision <input type="checkbox"/></p>	Guidance is important baseline, while it was not referred in this review period.
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	<p>I use it X</p> <p>I do not use it <input type="checkbox"/></p> <p>Please specify:</p> <p>(i) I am not aware of the guidance <input type="checkbox"/></p> <p>(ii) The guidance is not relevant <input type="checkbox"/></p> <p>(iii) The guidance is outdated and needs revision <input type="checkbox"/></p>	It was used during legal improvement of national legislation and subsequent regulations during this term.
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	<p>I use it <input type="checkbox"/></p> <p>I do not use it X</p> <p>Please specify:</p> <p>(i) I am not aware of the guidance <input type="checkbox"/></p> <p>(ii) The guidance is not relevant <input type="checkbox"/></p> <p>(iii) The guidance is outdated and needs revision <input type="checkbox"/></p>	Guidance is important baseline, while it was not referred in this review period.

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I use it <input type="checkbox"/> I do not use it X Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	Guidance is important baseline, while it was not referred in this review period.
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input type="checkbox"/> I do not use it X Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it X I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	It was used during legal improvement of national legislation and subsequent regulations during this term.

Your comments:

D. Clarity of the Convention

II.24. Has your country had difficulties implementing the procedures defined in the Convention, either as a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No X

Yes Please indicate which provisions and how they are unclear:

Your comments:

E. Contributions to the funding of the workplans

II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:

- (i) Yes
(ii) No **X**

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments:

Information on contribution to Turst Fund only covered the Convention.

II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.⁸ For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.⁹

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

- (i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency:

- (ii) Individual contribution in 2019

Yes Amount and currency:

No Please explain the reason:

- (iii) Individual contribution in 2020:

Yes Amount and currency:

No Please explain the reason:

- (iv) Individual contribution in 2021:

Yes Amount and currency:

No Please explain the reason:

- (v) **Please indicate any plans of your country to contribute for the period 2021–2023**

My Government will make 2000 USD contribution for the period 2021-2023.

- (b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how:

No Please explain the reason

⁸ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁹ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

F. Suggested improvements to the report

II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved.

Questions are quite detailed and complicated with regard to presenting the transboundary EIA practices. It is not practical for using and should be very laconic and brief.

These questions will be relevant to include template questionnaire in below tables rather than in reporting part.

Annex I

Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		
3. (a) Installations for the reprocessing of irradiated nuclear fuel;		
3. (b) Installations designed:		
- For the production or enrichment of nuclear fuel;		
- For the processing of irradiated nuclear fuel or high-level radioactive waste;		
- For the final disposal of irradiated nuclear fuel;		
- Solely for the final disposal of radioactive waste; or		
- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.		
4. Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6. Integrated chemical installations.		

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
7. (a) Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;		
7. (b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.		
8. Large-diameter pipelines for the transport of oil, gas or chemicals.		
9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.		
10.(a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;		
10.(b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.		
11. Large dams and reservoirs.		
12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.		
13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.		
14. Major quarries, mining, on-site extraction and processing of metal ores or coal.		
15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.		
16. Major storage facilities for petroleum, petrochemical and chemical products.		
17. Deforestation of large areas.		
18.(a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);		
18.(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).		
19. Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.		

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
20.	Installations for the intensive rearing of poultry or pigs with more than: - 85 000 places for broilers; - 60 000 places for hens; - 3 000 places for production pigs (over 30 kg); - 900 places for sows.		
21.	Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.		
22.	Major installations for the harnessing of wind power for energy production (wind farms).		
<i>Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period</i>			
1.	[add the activity]		
2.	...		

^a Party of origin.

^b Affected Party.

Annex II

A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

				<i>Please use as checkbox for referring to the progress and indicate the date, if available</i>			
<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
1. For example, Project "A"	Date	Party A Party B	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation: Date	Date	Date from: to:	Date from: to:	Date
2.							
3.							
4.							
...							

Table 2

Transboundary environmental impact assessment procedures as an affected Party

Please find below an example of expected types of answers in each column, and feel free to add additional rows as needed

					<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>	
1. For example, Project A	Notification received: date Response sent: date Stage of the procedure (select as appropriate) -screening -scoping -reviewing the environmental impact assessment documentation	Party A	Date	Date	Time from: to:	Yes/No Written comments: time interval Event(s) organized: date(s)	Date	
2. Project B						
3.								
4.								
...								

Annex III

Template to describe an example of application of a transboundary procedure in accordance with the Convention in the reporting period

Please provide at least one example of application of a transboundary environmental impact assessment procedure in accordance with the Convention in the reporting period using the template and reflecting on the priorities of the 2021–2023 workplan and the long-term strategy. Should you wish to share more examples, please copy the template, as needed.

I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure:
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <input type="checkbox"/>	Affected Party: <input type="checkbox"/>
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation:
4. Stage(s)/step(s) of the procedure presented in this example:
 - The entire procedure
 - Notification (art. 3):
 - Preparation of the environmental impact assessment documentation (art. 4):
 - Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c))
 - Final decision (art. 6):
 - Post-project analysis (art. 7, if applicable)
 - Other , please specify:

II. BACKGROUND

Please provide a short description of the activity, the context of its development and general information about the environmental impact assessment procedure

III. PROCEDURE UNDER THE CONVENTION AND ELEMENTS OF GOOD PRACTICE

Please describe, in more detail, using the subsections below, the procedural step(s) considered to represent good practice and then explain why that is.

1. **Notification** (art. 3):
2. **Preparation of the environmental impact assessment documentation** (art. 4):

In addition to the description above regarding the preparation of the environmental impact assessment documentation, please indicate the following:

- (a) What alternatives were assessed and presented in the environmental impact assessment documentation?

- (i) At what level of detail were the alternatives described?
 - (ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?
- (b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:
- (i) Biodiversity
 - (ii) Climate change
 - (iii) Circular economy
 - (iv) Sustainable Development Goal implementation
 - (v) Smart and sustainable cities
 - (vi) Sustainable infrastructure
 - (vii) Renewables
 - (viii) Other issues not listed above:
- 3. Consultations on the basis of the environmental impact assessment documentation** (art. 5 (a)–(c)):
- 4. Final decision** (art. 6):
- 5. Post-project analysis** (art. 7, if applicable):

IV. LESSONS LEARNED AND ADVICE TO OTHER PARTIES:

1. Please indicate:

Challenges in carrying out the procedure, if any, and how they were tackled

Lessons learned and advice to other Parties:

2. As relevant, please also refer to the contribution of the above application of environmental impact assessment procedure towards the attainment of Sustainable Development Goals¹ or climate objectives:

¹ In 2017, the Meetings of the Parties acknowledged that the Convention and in particular the Protocol contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016)):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);

V. ANY OTHER INFORMATION NOT INCLUDED ABOVE THAT YOU MAY WISH TO SHARE:

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- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
 - (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
 - (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
 - (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).
- For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ecc.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.