

LAW OF THE REPUBLIC OF AZERBAIJAN

On Environmental Protection and Nature

Chapter I GENERAL PROVISIONS

Article 1. Object Nature Protection

The object of protection of nature are interconnected natural components (land, surface and underground waters, atmospheric air, mineral resources, flora and fauna) and combines them ecological systems and complexes.

Article 2. Membership of Natural Resources

All the natural resources of the Republic of Azerbaijan and within the economic zone of the Azerbaijani Caspian Sea They are the exclusive property of the Republic of Azerbaijan.

Article 3. The purpose of the Law on Nature Protection and Nature

The purpose of the Nature Conservation Act and Environmental Management is ensuring harmonious interaction between society and nature with preservation of native Azerbaijan inherent natural features, as well as living organisms and their habitats.

Article 4. The objectives of the Law on Nature Protection and Nature

The objectives of the Law on Nature Protection and Nature

They are: ensure environmentally sound management, rehabilitation and restoration of natural resources;

Environmental protection from physical, chemical, biological, radioactive, electromagnetic, noise and other types of pollution and negative impacts;

preservation of characteristic, primordial landscape of Azerbaijan, individual territories, ecological systems and complexes, natural objects having scientific, educational, historical, aesthetic and cultural value;

elimination of negative consequences of anthropogenic the impact on the environment and natural resources;

Protection of Azerbaijan from harmful the effects of pollution, degradation and depletion of the environment and natural resources;

the establishment of rights and obligations of legal entities and citizens the use of natural resources and environment environment;

settlement of other social relations in the field of use of natural resources and environmental protection.

Article 5. The object of the Law on Nature Protection and Nature

Law on Nature Protection and Nature controls relations in the field of environmental protection and use natural resources.

Public relations, the object of which is a separate components of the environment, are governed issued on the basis legislative acts of this Law on the Protection and use of land, mineral resources, water resources, air, flora (including forests) and fauna (including fish reserves), recreational resources, as well as related laws.

Article 6. Exclusive jurisdiction of the Republic of Azerbaijan Environmental Management and Environmental Protection

The Republic of Azerbaijan shall determine the order natural resources and environmental protection, resolves all issues in the area.

Article 7. Principles of nature and nature conservation

The basic principle in the organization of wildlife Azerbaijan is the priority of environmental and social interests of the republic over its economic interests in their rational combination.

Accordingly: natural resources are used rationally and comprehensively, taking into account the laws of nature, natural and economic features potential of Azerbaijan and opportunities of conservation, natural and afforestation and restoration of natural resources;

natural resources are used in compliance with sovereign rights, interests and the existing laws of the Azerbaijan Republic;

questions the use of natural resources and conservation solved with the participation of the citizens of the Azerbaijan Republic.

Chapter II

RIGHTS OF CITIZENS To a healthy and favorable for life Natural environment

Article 8. The right of citizens to a favorable environment for life

Every citizen of the Republic of Azerbaijan has the right to accommodation favorable for his health and life environment

This right is guaranteed by: compliance with environmental requirements when placing productive forces, the enterprises, buildings and other objects, have an impact on the environment, while planning clusters, development industry, agriculture, energy, transport and other sectors of the economy;

accordance with the law of liability for damage caused by nature, human health and life, property and the interests of businesses and individuals.

Implementation of the citizens of their rights to a healthy environment the environment must be combined with the performance of their duties nature protection, management, rehabilitation and reproduction of natural resources, respect to environmental legislation.

Article 9. The right of citizens to health from the adverse effects of Environmental Protection

Every citizen of the Republic of Azerbaijan has the right to health from the adverse effects of environment as a result of economic or other activities, accidents, forces of nature.

This right is guaranteed by:

planning and environmental quality standards of environment measures to prevent environmentally harmful activities, prevention and elimination of consequences of accidents, forces of nature;

compensation in a judicial or administrative damage caused to the health of citizens as a result of pollution environmental and other harmful influences on it, including the consequences of accidents and catastrophes;

the implementation of state and public control state of the environment and compliance

environmental legislation, bringing to those responsible for violating the provision environmental safety.

Article 10. The right of citizens to environmental information

Citizens of the Republic of Azerbaijan have the right to timely, complete and accurate information about the environmental the situation in the whole country, as well as separate areas, cities, zones and areas.

This right is provided regular coverage in the organs of the media information on the state of the natural

Protection for the corresponding period and trends.

With a sharp deterioration in the quality of the environment, and in cases of environmental emergencies population immediately informed about it with the relevant recommendations specialists.

Article 11. The right of citizens to participate in decision environmental decision-making and monitoring their implementation

Citizens of the Azerbaijan Republic have the right to participate in development and decision-making, the implementation of which is associated with the negative impact on the environment, and monitor their implementation.

This right is ensured by the publication and public discussion of draft environmental decision-making, performing public environmental impact assessments of projects, the responsibility government agencies to take into account citizens' proposals, using various forms of public participation, including Referendums.

In particular, the use of nuclear energy or ads in the country is a nuclear-free zone exclusive competence of the referendum.

Chapter III

STATE GOVERNANCE AND MANAGEMENT IN THE FIELD OF NATURE AND NATURAL RESOURCES

Article 12. State management in the field of environmental protection and nature

State management in the field of nature protection and environmental management in the Republic of Azerbaijan is carried out Supreme Council of the Republic of Azerbaijan.

The exclusive competence of the Supreme Soviet of Azerbaijan Republic in the field of environmental protection and nature relate:

- a) identification of the main directions of the state policy field of environmental protection;
- b) approval of state environmental programs;
- c) determination of the legal framework regulating relations in field of environmental protection;
- g) determining the powers of the Council of People's Deputies of the order organization and operation of controls in the field of ecology and environmental security;
- d) determination of the legal regime of the emergency ecological zones the situation, the status of the individuals and the announcement of such zones the territory of the republic;

The Supreme Majlis of Nakhchivan Autonomous Republic the regulation of relations in nature protection:

;

- a) Ensure the implementation of environmental policy
- b) approve the environmental programs;
- c) organizes the learning environment;
- d) suspend or restrict the activities of enterprises, subordinated to the Nakhichevan Autonomous Republic if they violate the law on the protection of nature;
- d) establishes standards if necessary environmental safety more stringent than acting on the Republic of Azerbaijan;
- e) defines the territory of the reserve fund and prepares proposals for the organization reserves.

Article 13. Public administration in the field of environmental protection and nature

State management in the field of nature protection and environmental management is carried out by the State Committee of the Azerbaijan Republic for Ecology and Control environmental. Ministry of Health of Azerbaijan Republic and other authorities, the leadership this Law and other legislative acts The Republic of Azerbaijan in the field of protection and use natural resources.

State management in the field of protection and management use of land, water, forest, mineral and other resources are in line with the requirements of the Code

The Republic of Azerbaijan about them.

The Cabinet of Ministers of the Azerbaijan Republic, the Cabinet Ministers of Nakhchivan Autonomous Republic, local

executive, ministries, departments, state

organizations and institutions of the Republic of Azerbaijan will organize

rational, comprehensive utilization of natural resources and

protection of the environment at the enterprises and

objects within its competence carry out functions

governance in the field of wildlife and nature.

Article 14. Competence local authorities in the field of nature conservation and environmental

Local executive authorities within manageable administrative unit responsible for

The Nature Conservancy, rational and complex use of natural resources.

Local executive authorities within their territory:

develop integrated strategies and action plans for use of natural resources and protection of the environment and maintain budgetary allocation for their implementation;

Funding for Nature Conservation, liquidation negative human impact on the environment, reproduction and rational use of natural resources,

provide logistical support to these operations;

organize and coordinate the activities of associations, businesses, organizations and institutions, as well as citizens in the area protection of nature and natural resources;

ensure respect for the protected areas and complexes, monuments of nature, announce protected territory complexes and natural monuments of local importance;

within its competence, the right to use natural resources, in the presence of a base, or limit it deprived of this right;

establish a fee for the right to use natural resources (As a component board for natural resources), with the site features intercede before the state authorities to grant preferential treatment of natural resources charging for natural resources and emissions into the environment;

address and resolve disputes in the field of nature protection and natural resources;

to provide law enforcement and protection nature Nature suspend or terminate the activities of enterprises, are the worst violators of environmental laws.

Local executive authorities without the knowledge environmental and forestry agencies have no right to allocate and use forest lands and specially protected areas for other purposes.

Chapter IV

ECONOMIC MEASURES FOR THE CONSERVATION And environmental management

Article 15. The economic mechanism for nature protection and environmental management

The main objective of the economic mechanism of environmental protection and environmental management - the development of the material stimulation of natural resources in the development, planning and implementation of the measures of environmental safety, rational use, recovery and restoration of natural resources.

The economic mechanism of environmental protection and regulation environmental management is carried out in the form of:

charging for use of natural resources, emissions, discharges and pollutants into the surrounding natural medium;

material rewards teams of employees of enterprises, organizations and institutions, public and other bodies, as well as individuals who have achieved positive results in the area conservation, rational and complex use natural resources;

tax and credit benefits provided by the public, cooperative, public and other enterprises, organizations and institutions and citizens engaged in individual- employment, during the environmental, nature management, implementation of resource-saving and low-waste technologies and industries, and the use of secondary resources, the implementation of other activities, giving environmental effect;

establishing incentive prices and premiums for environmentally clean production;

full or partial deprivation of officers and employees State enterprises and organizations of premiums issued by them the results of the main economic activities, in cases where

They admitted violation of the requirements of nature protection or are not fulfilled tasks for the environmental protection measures;

recovery of compensation (including currency) for damage caused to the environment and natural resources.

The legislation of the Azerbaijan Republic may define other types of economic incentives activities for nature protection, sustainable and integrated use of natural resources.

Financing of economic stimulus Protection Nature is funded from the central and other sources. For this purpose, can raise funds national and public funds for environmental protection.

Article 16. Payment for use of natural resources

In Azerbaijan, for all legal and physical persons set fee for the use of land, water, mineral resources, flora and fauna, recreation and other natural resources as well as fees for emissions (discharges, waste disposal) pollutants in the environment, produced in within and beyond established standards.

Payment for use of natural resources and pollution of natural resources does not exempt from the need to implement measures for the protection of nature, rational use of natural resources and resource conservation, as well as redress the environment as a result of violations environmental legislation.

Article 17. The Fund for the Protection of Nature of the Azerbaijan Republic

For the cost of protection and improvement of the natural protection, recovery and restoration of natural resources, strengthening the material-technical base of the control system and Control of Nature, of the other environmental protection and ensuring their activities of scientific works in the field of ecology, as well as partial repayment financial needs for the maintenance of environmental systems and financial incentives for employees in environmental authorities

Azerbaijan operates Environment Protection Fund
The Republic of Azerbaijan.

This fund is formed at the State Committee Azerbaijan Republic for Ecology and Control Environmental by deductions from payments for the use natural resources, payments for emissions of pollutants into environment, funds collected for violations environmental legislation, targeted and voluntary contributions and other sources.

The procedure of formation and use of the Fund for Conservation of Nature Azerbaijan established its regulations.

Article 18. Public funds for Environmental Protection and Nature

Public Funds for Environmental Protection and wildlife are formed at the expense of the population, contributions non-governmental organizations and other sources. These funds are created public and other organizations and expenditure on protection environment, rational and complex natural resources.

The procedure of formation and spending of these funds It is determined by the provisions of them approved by the relevant NGOs.

For the financing of environmental protection measures, management use of natural resources, stimulate the ensuring environmental safety in Azerbaijan Republic may form other funds.

Chapter V

LAW OF NATURE

Article 19. Objects of nature

The objects of nature in Azerbaijan are the elements of the natural environment, as well as some natural complexes and facilities in the territory of Azerbaijan And the Republic of Azerbaijan within the economic zone Caspian Sea.

Article 20. Subjects of nature

Subjects of natural resources in the Republic of Azerbaijan are enterprises, organizations and other legal entities citizens, acting on the territory of the Republic of Azerbaijan and Azerbaijan within the economic zone of the Caspian Sea.

Article 21. The basis of the right to natural resources

The basis of the right to use natural resources is made out in the prescribed manner permission nature (agreement on the nature) issued State environmental authorities with the consent of state bodies of sanitary supervision.

As defined by legislative acts of Azerbaijan Republic cases, the exercise of rights may be a nature be restricted or discontinued.

Article 22. Main responsibilities of nature

Nature users must:

to comply with the priority of environmental and social interests society over their economic rational combination;

efficient use provided for use natural resources;

comprehensively address the issues, conservation, rehabilitation and restoration of natural resources;

implement measures to prevent negative effects the environment, and in the event of harmful effects such exposure - immediately take the necessary measures to eliminate them;

ensure preservation of the integrity and diversity of nature wildlife species;

does not infringe upon the rights and legitimate interests of others natural resources;

to compensate damage caused by nature, human life and health, property and interests of legal entities and individuals.

Chapter VI

STATE SYSTEM MONITORING AND CONTROL For the environment AND NATURAL RESOURCES

Article 23. Control Objectives in the field of environmental protection and nature

Problems control in the field of wildlife and nature

- Monitor the state of the environment, its changes influenced by economic and other activities, volume impact on nature and the extraction of natural resources from the the natural environment, as well as verification of compliance with plans and on conservation, environmental improvement, rational use, restoration and reproduction natural resources, compliance of environmental legislation and quality standards of the environment.

The monitoring system in the field of environmental protection and nature

in the Azerbaijan Republic consists of the state, institutional, industrial and public control.

Article 24. Republican environmental monitoring system the natural environment (environmental monitoring)

On the territory of the Republic of Azerbaijan and within Azerbaijan economic zone of the Caspian Sea is organized permanent republican system of integrated environmental monitoring.

The monitoring system solves problems monitoring the state of the environment taking place in its physical, chemical, biological processes, the level of pollution of air, soil, water,

the consequences of its impact on the flora and fauna, human health, and provide stakeholders and the public, and the current Emergency information on the state and changes in the environment environment, warnings and forecasts in this area.

The content, structure and procedures of the complex Environmental Monitoring determines the State Committee Azerbaijan Republic for Ecology and Control an environmental agreement with the State sanitary authorities.

Implementation of Integrated Environmental Monitoring

Azerbaijan made the Republican-controlled hydrometeorology, and the State Committee Azerbaijan Republic for Ecology and Control per environmental management, the Ministry of Health of Azerbaijan Republic and other authorized bodies.

Article 25. State control in the field of environmental protection and nature

Unified State control in the field of nature protection and of natural resources in the territory of the Republic of Azerbaijan and Azerbaijan within the economic zone of the Caspian Sea carried out by the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature, as well as, in the relevant areas of activity, - the Ministry Health of the Azerbaijan Republic, Ministry of Internal Affairs of Azerbaijan Republic and the State Committee of the Azerbaijan Republic for Safety Work in Industry and Mining, and on the ground,

In addition, - the Council of People's Deputies. Officials of state control in the area environmental protection and nature in accordance with their powers have the authority to order: visit enterprises, organizations, institutions, regardless of their affiliation and subordination, and belonging their facilities, as well as the economy of citizens, examine documents, analyzes, other materials necessary to carry out their duty;

withdraw obtained in violation of environmental protection order products and illegal hunting weapons, vehicles, and as the relevant documents, to make a personal inspection, inspection of things, vehicles, weapons and verification produced natural products;

carry and use a service weapon, respectively established an official order;

check the operation of sewage treatment plants and other detoxifying devices, their means of control corresponding to the actual volume use of natural resources accounting data, compliance quality standards of the environment, environmental legislation, the implementation of measures to conservation and environmental management;

require the removal of deficiencies within the given rights granted mandatory requirements (indicate solutions recommendations) the placement, design, construction, reconstruction, commissioning, operation of facilities;

engage in the prescribed manner the perpetrators to administrative responsibility, direct materials relevant organizations on bringing to disciplinary, administrative or criminal responsibility, to bring through court or arbitration claims for damages caused to environment the environment or human health of environmental violations legislation to impose fines for environmental offense;

decide on the restriction, suspension, termination operation of enterprises, buildings and other objects and any activities harmful to the environment and due to its deteriorating - human health.

These solutions binding on all ministries, departments, enterprises, organizations, institutions, officials and citizens. On the basis of these decisions of relevant institutions banks stopped financing prohibited activities to the annulment of the prohibition in the state control environmental and natural resources. Officials other employees, the citizens have the responsibility for the failure, and violation of these decisions;

set quotas (normal) enterprises, organizations, cooperatives, citizens in the use of natural, including plant forest and non-forest resources, medicinal plants, natural medicinal resources, wildlife and issue permits (License) for extraction (shooting, collecting, harvesting), as well as export from the country.

The procedure for the organization and implementation of state control in the field of environmental protection and nature is governed appropriate provisions for it.

Article 26. Departmental Supervision in the field of environmental protection and nature

Departmental control in the field of nature protection and of natural resources in an environmentally and other services of ministries and departments.

The objective of institutional control It is to check the implementation of departmental plans and activities conservation and rational use, restoration and reproduction of natural resources and environmental environmental, regulatory compliance consumption of natural resources, the volume of the impact on the environment, the requirements of environmental legislation.

The procedure for the organization and activities of departmental environmental service or service authorized to departmental environmental controls, regulations, approved by this Law by ministries and departments in coordination with State Committee of the Azerbaijan Republic on ecology and Control of Nature.

Article 27. Production control in the field of environmental protection and nature

Production control in the field of nature protection and of natural resources in an environmentally Service businesses, organizations and institutions. The aim of production control is the verification of compliance with production plans and on conservation, sustainable use, rehabilitation and restoration of natural resources, improvement of environmental protection, regulatory compliance consumption natural resources, the volume of the environmental environment, comply with the requirements of environmental legislation.

The order of organization and activity of industrial services Environmental monitoring regulated provisions approved on the basis of this law by enterprises, organizations and institutions or their parent bodies in coordination with the State Committee of the Azerbaijan Republic on ecology and Control of Nature.

Article 28. Public control in the field of nature protection

Public control in the area of environmental protection is carried out public inspectors of the State Committee Azerbaijan Republic for Ecology and Control per environmental and Azerbaijan Society for the Protection Nature Ecological Union, the movement of "green" society foresters and other public organizations, labor collectives, communities.

The aim of social control is Software ministries, departments, enterprises, organizations, institutions and citizens favorable for life and health of the environment.

The procedure of public environmental control regulated by this Law and other legislative acts Azerbaijan Republic, legislative acts on public organizations and labor collectives, charters NGOs.

Chapter VII

State Ecological Expertise

Article 29. Goals and Objectives state ecological examination

State environmental expertise is organized and carried out by the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature with a view verify the completeness and correctness of the assessment of the impact of economic and other activities on the environment, the degree of environmental Safety of decisions, the adequacy of the proposed measures the rational use of natural resources and preservation environment.

The state ecological expertise is mandatory a measure of protection of the environment and prevents the adoption of random solutions that may have adverse effects on the environment.

The objectives of the state environmental expertise are:

determination of the level of ecological danger of planned and economic and other activities which may present or future, directly or indirectly affect the the state of the environment and public health;

conformity assessment of projected economic and other activity with the requirements of environmental legislation, sanitary norms and regulations, hygiene standards;

determination of the degree of normative validity measures envisaged for the protection of nature.

Article 30. Fundamentals and Principles state ecological examination

The state ecological expertise is based: on the international legal obligations of the Republic; the principles of legality, scientific validity, publicity, integration of environmental, social, engineering, technology, engineering, architectural and planning, economic and other assessments; on the results of complex socio-ecological-economic assessment the impact of economic activity on the environment.

The state ecological expertise is based on:

from the right of all people to an environment favorable to health and welfare;

the need to ensure conservation for present and future generations of the ecological balance, and the gene pool diversity of nature;

the presumption of the potential dangers of unregulated natural resources;

of the possibility of hypothetical accidents;

an assessment of the conservation of the environment as a an integral part of development.

Article 31. Objects of the state ecological examination

Objects of the state ecological examination are all kinds of pre and pre-(including projects state, national and international programs) the documentation for the development and distribution of productive forces of Republic and sectors of the economy of Nakhchivan Autonomous Republic;

feasibility studies (calculations), projects construction (reconstruction, expansion, technical re) and the elimination of economic projects and facilities, including joint ventures with foreign firms businesses;

Documents regulating economic activity in free economic zones;

documentation on new equipment, technology, materials and substances, including imported from other countries;

The draft legislation, policy, regulatory, of methodical and normative-technical documents regulating the use of natural resources;

Ecological situation created as a result of business or emergencies;

ecological situation in the region, various natural objects of natural complexes (ecosystems).

Article 32. The state ecological examination

State environmental expertise is organized
State Committee of the Azerbaijan Republic on ecology and Control of Nature.

Article 33. Procedure for state ecological examination

The order of the State Ecological Expertise, the scope and content of submissions, as well as the terms and it determines the conditions of the State Committee Azerbaijan Republic for Ecology and Control environmental.

Article 34. Conclusion of the state ecological examination

The results of the examination of documents issued in the form
"The conclusions of the state ecological examination", the conclusions which are binding.

Article 35. Financing of realization business projects

Financing of projects of economic activity It opens with a positive opinion of the state
environmental impact assessment.

Article 36. Duties of the customer and the project developer

Customer and project developer of business

We are obliged to provide:

the timely submission to the State Environmental examination of documentation for the projects
included in the list, contained in Article 31 of this Law;

the completeness of the documentation submitted to the state environmental impact assessment
in accordance with the requirements;

funding and carrying out research and D activities, the need for which was revealed in the
process of state environmental review (Additional surveys, control measurements, sampling and
analysis

etc.);

provision of additional information necessary for the work of the expert committee (the group
expert) on demand expert body conducting the examination.

Article 37. Liability of expert bodies

Expert bodies of the State Committee on Ecology and Control of natural resources are fully
responsible for organization in the country work for the state environmental assessment, design
documentation for the projects, included in the list given in Article 31 of this Law,
issue a reasoned opinion in accordance with the requirements existing norms, acts of
environmental legislation for methodical leadership of the subordinate units environmental
impact assessment, as well as answer: for the formation of expert committees, groups and
selection of experts, organiztsiyu correct their work; for their assistance in providing information
on available experts state of the environment in the region, where they plan to carry out (Or
ongoing) project under consideration of economic
activities.

Article 38. Responsibility for non-compliance conditions for the realization of economic solutions

Managers of enterprises, organizations, institutions, ministries and departments, officials and other employees of the local authorities responsible for the failure to implement fully conditions for the realization of economic activity as defined in relevant projects and the conclusion of the State environmental impact assessment on them.

In case of violation of the conditions of the State Committee Azerbaijan Republic for Ecology and Control Environmental entitled to suspend the (Stop) the process of implementing an economic decision.

Article 39. Goals and objectives of post-project analysis

Post-project analysis of economic activity is an important event in the field of environmental monitoring and has the following objectives:

verification of forecasts;

improving the structure and methods of forecasting environmental conditions;

improving procedures to identify the main areas for choice impacts;

improving the monitoring system;

improving environmental impact assessment procedures.

Article 40. The post-project analysis

Post-project analysis of economic activities on the facilities, have the most significant impact on the environment environment, held by a decision of the State Committee Azerbaijan Republic for Ecology and Control its environmental expert bodies on the basis of environmental monitoring carried out by the enterprises themselves, results of audits, raids and other operational information provided control and inspection bodies.

Frequency of post-project analysis - 3-5 years.

The results of the post-project analysis are summarized, communicated to the company (if necessary in the form of compulsory provisions for the adoption of specific measures) and to the entire system Republican State Committee on Ecology and Control of Nature.

Article 41. Procedure for consideration of disagreements between the parties

Disputes arising between the customer project economic activity and expert body system Republican State Committee on Ecology and Control the results of the environmental state environmental impact assessment, are considered by the State Committee of the Azerbaijan Republic for Ecology and Control environmental.

The term of consideration of disagreements in the State Committee for Ecology and Control of Nature, tend to not be exceed 30 days.

The decision on the consideration of the differences can be It appealed in court in the established order.

Article 42. Financing state ecological examination

Sources of funding, and the amount of the order of receipt of funds to organize and conduct state environmental examination shall ensure that:

the financial independence of the expert bodies (Divisions);

the high quality of the state environmental expertise and the independence of its decisions on the positions of the interested parties;

conditions for the development and improvement of methodologies the state environmental review.

Article 43. Sources of Financing state ecological examination

State environmental expertise is funded by means: the state budget of the Azerbaijan Republic; customer documentation.

The status of the state environmental review system management of development of the national economy and its control functions Economic agreement exclude relations expert bodies documentation, as well as with the stakeholders in the payment for work on the state ecological expertise.

Article 44 Financial arrangements state ecological examination and the use of funds allocated to it

The order of state environmental funding and expertise and use of funds allocated to it determined by the Republican State Committee on Ecology and monitoring of the environmental.

The content of Article 45 state ecological examination

The apparatus of the state ecological examination It found only by operating the state budget of the Azerbaijan Republic.

Article 46. Payment of the state ecological examination

All expenditures related to the organization and conduct of State environmental expertise makes the customer documentation or body (person), initiating its implementation. Dimensions Payment of the state ecological examination determined category and complexity of the documentation previously agreed with the head of the body which is responsible for The state ecological expertise of the material. Dimensions deductions determined Republican State Committee on Ecology and Control environmental.

Payment documentation for the projects related to foreign economic activity, partly produced in freely convertible currency. The share of contributions to the freely convertible currency is determined based on the ratio currency investments and its share in the profits of the enterprise. The funds transferred to the account of the relevant body Public Administration for Nature Protection before submission Documentation for consideration.

Article 47. Consequences of failure to conclude the state ecological examination and the responsibility of experts for the wrong conclusion

Managers of enterprises, organizations, institutions, other officers and other employees are responsible for failure to comply with the state environmental official examination in accordance with applicable law.

Decisions contradicting These findings are invalid and can not be enforced.

Officials and other employees of state environmental impact assessment shall be responsible for the correctness, validity and completeness of its findings.

Article 48. The Expert Committee on state ecological examination

State environmental expertise documentation address the most important economic problems, government programs, feasibility studies (Calculations) and construction projects the largest and most complex facilities and systems may be implemented by peer commissions (groups) of scientists, experts and representatives of public.

Chapter VIII

ENVIRONMENTAL REQUIREMENTS

During placement, design, construction, Reconstruction, introduction into operation of enterprises, Constructions and other objects

Article 49. General Environmental Requirements for the location, design, construction, Reconstruction and commissioning of enterprises, and other facilities

When placing, feasibility study construction, reconstruction and expansion of commercial facilities, design, construction, reconstruction, commissioning enterprises, facilities and installations in the industry, transport, energy, utilities, agriculture, water economy, while laying power lines, communications, pipes, channels and other objects which must be performed environmental regulations and the requirements of environmental safety and protection of public health, provided protection measures nature, rational use, restoration and reproduction of natural resources, resource conservation, improvement of the environment.

The system of environmental standards includes: maximum allowable concentrations of pollutants in the environment; maximum allowable one-time emissions and discharges contaminants into the environment; maximum allowable one-time emissions and discharges contaminants into the environment; maximum permissible noise levels, electromagnetic radiation and other harmful physical effects, as well as the levels of radiation danger, sanitary norms, rules and hygienic standards.

Violations of these standards and requirements entails suspension or restriction of a complete cessation of obtrusive, design, construction, reconstruction and commissioning of environmentally harmful objects in accordance with the decisions of the State Committee Azerbaijan Republic for Ecology and Control environmental or public health surveillance Ministry of Health of Azerbaijan Republic, or State Committee of the Republic of Azerbaijan on supervision

Safe Work in Industry and Mining Supervision while the termination of funding of prohibited jobs institutions, banks continue to correct the violations.

Environmental regulations are developed and applied State Committee of the Azerbaijan Republic on ecology and Control of Nature, the Ministry of Health Azerbaijan, and other authorized state authorities.

Article 50. Development and implementation of projects significantly affect the environment

Development and implementation of large economic projects the Republic of Azerbaijan and within Azerbaijan economic zone of the Caspian Sea, providing or able to provide significant impact on the environment environment, by decision of the Supreme Council The Republic of Azerbaijan shall be based on the conclusion the state environmental review and, where ecessary, the results of the public discussion.

It prohibits the development and implementation of economic projects, related disorder or disruption of highly natural ecological systems and natural balance, or adverse changes in

regional climate, destruction of genetic fund of plants and animals, the negative impact on the ozone layer of the Earth, the onset of other serious consequences for human health, the environment and social life.

Article 51. Environmental requirements when placing enterprises and other facilities

When placing the enterprises, buildings and other environmentally hazardous objects must be ensured compliance environmental protection, rational use, rehabilitation and restoration of natural resources, taking into account immediate and long-term environmental, genetic, economic, demographic and moral consequences of the activities of these objects.

Determination of sites for construction of enterprises, buildings and other environmentally harmful objects produced in the presence of the positive conclusion of the State Committee Azerbaijan Republic for Ecology and Control environmental and local authorities, the Ministry of Health of the Azerbaijan Republic and agreement the relevant Council of People's Deputies. Where necessary, when placing objects affecting environmental interests people living in a given territory, the Council's decision People's Deputies adopted on the results of discussions said population.

Article 52. Environmental requirements a feasibility study construction and engineering companies, and other facilities

When the feasibility study of construction, Reconstruction and expansion planning of enterprises, buildings and other facilities should be considered the maximum permissible limits the load on the environment and provides for measures, providing at the present level of scientific and technological Progress replacement of major environmentally sound technologies in coupled with the improvement of cleaning systems, the prevention, elimination of environmental pollution by harmful waste and emissions, discharges, disposal and recycling them to the through the introduction of energy and resource saving, low-waste and waste technologies, rational use, restoration and reproduction of natural resources and environmental environment.

Projects that do not meet the established legislation environmental requirements are not subject to approval, and work on them implementation should not be financed by the relevant institutions banks.

Article 53. Ecological requirements for the construction, reconstruction of enterprises, and other facilities

Construction, reconstruction of enterprises, facilities and other polluting facilities should be carried out by approved projects having the positive conclusion State environmental expertise, in strict accordance with acting responsible environment, sanitation and building codes.

It prohibited the implementation of preparatory work on the ground, construction and reconstruction of objects to approval of the project and land allotment. You can not change approved project or the cost of design work to the detriment of the requirements environmental safety or environmental management.

Implementation of works envisaged in the environmental section the project is carried out on a priority basis.

Violation of the requirements set out in this article of the law, entails the suspension of the construction work to eliminate the deficiencies noted by the decision of the State Committee of the Azerbaijan Republic for Ecology and Control environmental or public health surveillance

Ministry of Health of the Republic of Azerbaijan the termination of funding of these works agency the relevant bank.

Article 54. Environmental requirements Startup companies and other facilities

Commissioning of the completed construction enterprises and other facilities shall be subject to execution full implementation of all environmental requirements, provided project on the acts of acceptance commissions created with the participation of representatives of the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature, State sanitary inspection of the Ministry of Health The Republic of Azerbaijan.

It is forbidden to put into operation the objects without positive conclusion of the state ecological expertise does not supported by efficient structures and installations for cleaning, decontamination and disposal of hazardous waste, emissions and discharges to maximum permissible levels established standards, tools control of environmental pollution, and without completion to commissioning projected works on nature protection, land reclamation, restoration of other natural resources, improvement of the environment.

Chairman and members of the commissions are personally acceptance responsible for compliance with the order of the objects in the acceptance operation in accordance with applicable law.

Chapter IX

ENVIRONMENTAL REQUIREMENTS OPERATING COMPANIES, Facilities, other facilities And performing other activities

Article 55. General Environmental Requirements the operation of enterprises, and other facilities

Enterprises, organizations, institutions enforce established standards of quality of the environment in the based on the smooth and efficient operation of water treatment plants, installations and means of their control, disposal and recycling waste, switch to environmentally sound technologies, conduct measures to protect and restore the productivity of natural ecosystems.

Violation of environmental requirements in the operation enterprises, constructions and other objects entails

restriction, suspension, termination of enterprises, buildings and other objects on the decisions of State Committee of the Azerbaijan Republic on ecology and Control of environmental or public health

Supervision of the Ministry of Health of Azerbaijan Republic the simultaneous termination of the financing of prohibited activities the establishment of the bank on the basis of these decisions to their withdrawal the relevant authority.

Redesigning activity environmentally harmful objects produced by ministries, departments, enterprises, organizations and institutions in coordination with the authorities State Committee of the Azerbaijan Republic on ecology and

Control of Nature, Ministry of Health
Azerbaijan Republic and local Soviets.

Article 56. Environmental requirements in agriculture and forestry

Enterprises, organizations and institutions, as well as citizens, leading agriculture and forestry, we are obliged to develop and carry out a complex of measures to protect soil, water bodies, forests and other vegetation and wildlife from the harmful effects of natural Nature, the negative impact of technology, chemical and other substances and other factors that deteriorate the condition and Natural productivity, soil and plant ecosystems, causing harm to human health and the environment. Failure to comply with these requirements, harming okrzhayuschey environment and human health entails restriction suspension or termination of environmentally harmful activities agricultural and other facilities on the decision of the State Committee of the Azerbaijan Republic on ecology and Control of environmental or public health Supervision of the Ministry of Health of Azerbaijan Republic.

Article 57. Environmental requirements during reclamation works

When the land reclamation, land reclamation operation systems, primarily provided by the water conservation measures the balance of natural water bodies, the rational use of water and land resources for the prevention of drowning, waterlogging, salinization, solntsevaniya, soil erosion, destruction spawning grounds, feeding grounds, wintering and migration of fish and other harmful consequences for the environment. Failure to comply with these requirements entails suspension of operation of drainage systems and performance reclamation work to address shortcomings or termination by the decision of the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature with the simultaneous termination of the financing of prohibited jobs banking institutions.

Article 58. Environmental requirements for energy facilities

When locating, designing and constructing hydroelectric power plants and other energy facilities must take into account the real needs of electricity Azerbaijan Republic of the terrain to the object, measures maximum conservation of land, forests, mineral deposits resources, human settlements, monuments of history, nature and culture, the effective protection of wildlife, including fish reserves, the timely use of the fertile layer of soil, wood during the clearing and filling the reservoir beds,

prevent negative changes in the environment, recovery from other lands allocated for Woodland energy facilities. 0

The Republic of Azerbaijan is prohibited to place nuclear power.

In the design, construction, commissioning and operation of thermal power plants is necessary to provide and implement measures to equip them with highly filters and other cleaning agents harmful wastes and emissions, the use of environmentally friendly fuels. Ministries, departments, enterprises, organizations, institutions required to develop the development and widespread use of non-traditional clean and safe forms of energy (solar, wind, tidal, bioenergy, etc.).

Article 59. Environmental requirements for the use of radioactive materials

Enterprises, organizations, institutions are required to abide by the rules production, storage, transportation, use, disposal and radioactive substances (sources of ionizing radiation, nuclear materials), not to exceed set the maximum allowable radiation, and if they excess immediately inform the authority in charge of control and security in the country, to take measures to eliminate hotbeds of infection.

Enterprises, organizations, institutions that do not provide observance of rules for handling radioactive materials, in the decision of the State Committee of Azerbaijan Republic of Supervision of Safety in industry and mining, as well as organs of state Committee of the Azerbaijan Republic for Ecology and Control Environmental and Health Ministry disqualified Use them or their activities on the use of such Materials shall be suspended until the elimination of the marked disadvantages.

Imports from other regions and from abroad to Azerbaijan Republic for the purpose of storage and disposal, as well as storage and burial in the Republic of Azerbaijan of radioactive waste It prohibited.

Article 60. Environmental requirements the use of chemicals

Enterprises, organizations, institutions and their officials citizens are obliged to abide by the rules of production, storage, transportation and use of chemicals used in agriculture as plant protection products, growth stimulators, mineral fertilizers, in other industries, to fulfill the established standards of their use, to take measures

to prevent and eliminate the harmful consequences of their use human health and to the environment.

On the territory of the Republic of Azerbaijan and within Azerbaijani Caspian Sea economic zone is prohibited the use of toxic chemicals, active influence on the human body and the environment, and are not with methods for the determination of their content in the natural medium.

Violation of rules of use of chemicals entails prohibiting the production, storage, transportation, appropriate chemical preparations for the decision of the Ministry Health of the Azerbaijan Republic or State Committee of the Azerbaijan Republic for Ecology and Control environmental.

Article 61. Protection of environment from the harmful biological effects

Enterprises, organizations, institutions providing or likely exert biological effects on the natural force obliged to ensure environmentally friendly production (Creation), storage (content), transport, use and removing species of microorganisms, insects, and substances to develop and implement measures to the prevention of accidents and disasters and the prevention and elimination the effects of adverse biological effects on the environment the environment and human health.

The observation about accounting and control of the level biological effects on the population and the natural Wednesday carried out by the Ministry of Health The Republic of Azerbaijan.

The excess of the established norms of maximum permissible levels of impact on the environment, violation about the storage and use of biological species microorganisms, insects and substances entails suspension, termination of enterprises and other facilities, which are sources of pollution, by decision of sanitary supervision of the Ministry of Health of Azerbaijan Republic.

Article 62. Protection of the environment from noise, vibrations, magnetic fields, electromagnetic radiation and other harmful physical impacts

Local councils of people's deputies, the executive authorities, enterprises, organizations, institutions and citizens We are obliged to take the necessary measures to prevent and eliminate hazardous industrial and domestic noise, vibration, harmful magnetic fields, electromagnetic radiation and other harmful physical impacts on the environment.

Failure to comply with regulations in the territory of Azerbaijan
And the Republic of Azerbaijan within the economic zone
Caspian Sea entails suspension, termination
of enterprises, departments, units, and other equipment
equipment, use of vehicles and other sources
the harmful effects of noise, vibration, magnetic fields to eliminate
deficiencies found by the decision of the State
sanitary supervision of the Ministry of Health of Azerbaijan
Republic, State Committee of the Republic of Azerbaijan
for Ecology and Control Over Use of Nature, Ministry of
Internal Affairs of the Azerbaijan Republic, local councils
deputies and executive bodies.

Article 63. Protection of environment of industrial and domestic waste

Local councils of people's deputies, the executive
authorities, enterprises, organizations, institutions and citizens
We are obliged to take effective measures to reduce education
disposal, recycling, disposal, storage or
disposal of industrial and domestic waste.

Local councils of people's deputies, the executive
authorities are obliged to take decisions on the definition of storage sites
and disposal of waste, previously agreed with the authorities
environmental protection, sanitary supervision, geology. The discharge
othodosoderzhaschih waste and untreated sewage into water bodies,
aquifers, in residential areas, forests,
agricultural and other land.

Failure to comply with these rules will result in the restriction,
suspension or termination of activities of enterprises,
associated with the formation of the wastes, at decision
State Committee of the Azerbaijan Republic on
Ecology and Control Over Use of Nature, Ministry of
Health of the Azerbaijan Republic or local government
executive.

Chapter X

Public participation in nature protection

Article 64. Forms of public participation in the protection of nature

The population is involved in the protection of nature through personal
Labour (optional citizens) in activities to prevent and
elimination of violations of environmental legislation by
voluntary contributions contributions to environmental funds, by
participate in the protection of nature, engage in labor
groups, environmental NGOs.

Article 65. Powers of environmental NGOs

Local environmental organizations and other public environmental organizations and associations engaged in ecological functions, have the right to:

- develop, approve and promote their environmental programs to protect the environmental rights and interests of the population and its separate groups, to develop ecological awareness of the population, involve volunteer citizens to improve environmental performance;
- at the expense of their own and borrowed funds, and labor force participation of the population to perform work for the protection, restoration and reproduction of natural resources, rehabilitation and improvement of the environment, to conduct independent study or participate in organized and conducted by public authorities;
- Nature Protection perform inspections of enterprises, organizations, institutions and citizens of conservation activities to provide all possible assistance to state bodies for nature protection in the fight against infringements of environmental legislation, to create public Funds for the protection of nature and spend them on hold environmental measures;
- take part in the State Ecological Expertise of placement, design, construction, commissioning of environmentally hazardous and harmful enterprises, structures and objects, to organize and conduct public environmental review, put questions to the established procedure to cancel the decision of siting, construction, operation of environmentally harmful objects on the restriction, suspension, termination, or realigning their activities;
- to require the provision of timely, complete and accurate information about the state of the environment, protection measures for the nature and management of natural resources on the main directions of state plans, programs, activities for nature protection, and get it available to the public;
- require the assignment of the state ecological examination and the public discussion of the decisions on the development and placement of productive forces, industries and facilities of the national economy;
- organize and hold meetings on environmental issues and environmental management, to act out its environmental platforms in print, on radio and television;
- bring to court or arbitration claims for damages, caused to health and property of citizens and environmental organizations.

Among the violations of environmental legislation if any action is taken in the prescribed manner by state agencies for the protection of nature.

Environmental activities of NGOs and other
Public education is carried out in accordance with their charters and
the current legislation of the Republic of Azerbaijan.

Article 66. The rights and obligations of citizens in conservation and wildlife management

Citizens of the Azerbaijan Republic have the right:
participate in the protection of nature, its own labor
conserve and augment the natural resources of Azerbaijan;
create public organizations, foundations and other public
associations for the protection of nature, composed of members
organizations;
take part in the discussion of draft laws and other
acts submitted for public discussion (referendum)
handle letters, statements, complaints, suggestions on
the protection of nature and natural resources;
to demand from the relevant authorities of
timely, complete and reliable information on the state of
the environment and measures for its protection;
make proposals to abolish the decisions on the location,
design, construction, reconstruction, operation
environmentally harmful objects, restriction, suspension,
the cessation of activities of enterprises, buildings and other objects,
an adverse impact on the natural
environment and human health;
bring a court action against the companies, organizations,
institutions and citizens for damages caused to their
health and property as a result of the adverse effects on
environment.

Citizens residing in the territory of Azerbaijan
Republic obliged to protect nature and conserve its riches,
efficient use provided in the use of natural
resources, comply with the requirements of environmental
legislation.

Citizens residing in the territory of Azerbaijan
Republic exercise their rights and responsibilities in the field of
nature in accordance with applicable law
The Republic of Azerbaijan.

Article 67. Guarantees of the rights of public organizations and citizens in the field of nature protection

The Republic of Azerbaijan ensures the public
environmental organizations, other public associations,
carrying out ecological functions and the implementation of citizens
rights granted to them in the field of environmental protection in accordance with the
the current legislation of the Republic of Azerbaijan.

Chapter XI

Environmental education, EDUCATION AND RESEARCH

Article 68. The universality, comprehensiveness and continuity
Environmental Education

In order to improve the ecological culture and society
vocational training specialists in Azerbaijan
Republic establishes a system of universal, comprehensive,
continuity and availability of environmental education,
covering pre-school, school education and training,
professional training in secondary and higher
education, improving their skills.

Article 69. Obligation of teaching environmental knowledge
in educational institutions

To master a minimum of environmental knowledge needed to
formation of ecological culture of citizens in all secondary
vocational and higher education institutions operating in the
The Republic of Azerbaijan in accordance with their profile,
It provides for the teaching of special courses for the Protection of
Nature and Environment Management.

Article 70. Professional environmental training
Executives and Professionals

The leaders, other officials and experts
state enterprises, organizations and institutions associated with
activities that have harmful effects on the environment
the environment and human health, as well as
environmental, or perform the functions of directly or
indirectly related to the conservation or organization
environmental management, are required to have the necessary environmental
training, which is included in the appointment,
certification and recertification of the employee.

Persons who do not possess these preparations are not allowed to
the performance of work in public organizations requiring
appropriate environmental knowledge.

Article 71. Promotion of environmental awareness

In order to foster respect for the nature of Azerbaijan,
rational use of its resources held wide
propaganda of ecological knowledge and culture, as well as
environmental legislation of the Azerbaijan Republic.
The propaganda of ecological knowledge and culture is assigned to the
organs of the State Committee of the Azerbaijan Republic on
Ecology and Control Over Use of Nature, State

sanitary supervision of the Ministry of Health of Azerbaijan Republic, other state and public bodies and organizations, the press, radio and television, other media information, museums, exhibitions and other cultural institutions.

Article 72. Scientific research in the field of ecology

The Academy of Sciences of Azerbaijan, scientific and industry research organizations, the State Committee Azerbaijan Republic for Ecology and Control environmental ministries and departments of Azerbaijan Republic, higher education institutions are organized on the basis of contracts and carry out scientific research in the field of nature, rational use, restoration and reproduction of natural resources and environmental environment, resource conservation, maintenance of favorable the mode of functioning of natural systems and environmental systems, prevention of negative impact on the environment human and wildlife, creating the necessary conditions for effective research and the implementation of results.

Priorities for research and nature protection

wildlife research aim to:

development of scientific bases of environmental policy of the republic, creation of advanced low-waste and non-waste technology

processes and modern technical means to ensure

ecological safety of industrial, transport,

agricultural and other enterprises, structures and objects in their operation;

providing cost-effective, resource-saving

natural resources;

provide means of continuous monitoring of environmental

environment, production management, and trouble-free

safe operation of the equipment;

definition of acceptable environmental burden for the

the territory of the processes occurring in the environment under the impact of human activities;

the identification of possible ways to prevent, reduce

the effects of the harmful effects on the environment;

restoring the quality of the environment and natural resources.

Scientists and experts of scientific institutions are involved in

the development and implementation of comprehensive, targeted environmental programs included in the formulations of scientific, technical, expert and

Public Council on the protection of nature, give an opinion on

Environmental Impact Assessment of projects, assist in addressing

practical problems of rational use of natural resources

and environmental protection are involved in the formation of ecological culture

society and are personally responsible for the scientific results of their research and expertise. Ministries, departments, associations and enterprises, regardless of subordination, are environmental pollutants, obliged by the scientific research and design organizations Based on direct contracts to develop and implement resource-saving and environmentally friendly technologies or purchase any of their introduction into production.

Chapter XII Environmental emergencies

Article 73. Prevention of Accidents and the elimination of their adverse environmental impacts In the design and operation of commercial facilities, associated with harmful effects on the environment, develop and implement measures to prevent accidents and elimination of their adverse environmental impacts.

To be effective, environmental contingency situations involving harmful consequences for the natural environment, to develop regional, basin and Republican plans. These plans are approved by the respective Boards of People Deputies and provide jobs and mobilization activities forces and means of the ministries, departments, enterprises, organizations, agencies and specialized services for the prevention of environmental emergencies and liquidation of their consequences. In the event of an accident, the company, organization, institutions are required immediately proceed to its liquidation in accordance with approved plans for emergency ecological situations. At the same time, they shall immediately inform about the accident and measures taken to eliminate it, local Soviets of People Deputies, government agencies oversee the safe conduct Work in Industry and Mining, as well as public bodies for the protection of nature, bodies of public health surveillance and population. Investigation into the causes of accidents and elimination of their consequences Republic by the Commission of the Cabinet of Ministers Azerbaijan Emergency Situations. Moreover, created by government, special, including, environmental, and other commissions.

Article 74. Duties of the enterprises Preparedness Elimination the environmental consequences of accidents

Enterprises, organizations and institutions, which can in case of emergency harm the environment or human health, must:
have a plan of action in environmental emergencies;
establish and maintain a state of readiness in an emergency

services to provide technical means to eliminate consequences of the accident;
systematically verify compliance with workers safety and technological discipline;
carry out special programs for the training of staff
ensure the elimination of consequences of accidents;
To admit without hindrance in the territory and meet necessary materials representatives of the state
supervision of facilities associated with adverse effects on the environment, and government protection
nature and health surveillance;
advance to notify state authorities (protection Nature, sanitation, etc..) to proposed changes
processes, reconstruction, repair work on objects associated with harmful effects on the natural environment, as well as any changes in the handling of hazardous substances.

Article 75. Zones of emergency ecological situation and economic disaster

The zones of ecological emergency declared participants of the territory, where as a result of economic and other activities, the destructive influence of natural forces of nature, or actual accidents or catastrophes occur stable negative changes in the environment, threatening human health, causing diseases among the population of natural ecological systems and complexes, genetic funds of plants and animals.

The zones of ecological disaster declared areas of the territory, water and air space, where as a result of economic an activity or the destructive influence of natural forces Nature took place sustainable and irreversible changes in the environment environment related to violation of the ecological balance, destruction of natural ecological systems, soil degradation, destruction of flora and fauna, causing disease in population.

Zones of emergency ecological situation and ecological disaster declared and liquidated decisions of the Supreme Council of the Republic of Azerbaijan on the initiative of the population, deputies, public organizations on the basis of conclusion of the state or public environmental examination.

In the area of environmental emergency prohibiting all activities detrimental to the environment, suspended operation of enterprises, organizations, institutions, departments, units, equipment, adversely the impact on human health and the environment are limited

certain types of natural resources are carried out quickly to rehabilitation and restoration of natural resources. In the zone of ecological disaster discontinued operations economic facilities, in addition to related services residing in the territory of people prohibited from building, reconstruction and expansion of new commercial facilities, essentially limited to all kinds of wildlife, take prompt measures to restore and reproduction natural resources and improvement of the natural environment. Financing of measures on improvement of zones of emergency ecological situation, ecological disaster produced in First of all, at the expense of the ministries, departments, enterprises, organizations and institutions, whose fault occurred an accident or a disaster, as well as the target of the state budgets and environmental funds.

Chapter XIII

PROTECTED AREAS AND FACILITIES

Article 76. Determining the category and legal status Protected Areas

Protected areas - is land and an expanse of water (water areas) include natural complexes and objects, places of species of animals and vegetation, listed in the Red Book of special ecological, scientific, cultural, aesthetic, health and recreational value, and withdrawn in whole or in part, permanently or temporarily from economic exploitation.

In accordance with the law Protected territories of the President or the Supreme Council of the Republic of the State Committee for Ecology and Control Environmental given the status of state reserves (Including the biosphere), state nature reserves, national parks, natural reserves, state reserves, micro-reserves, natural monuments, zoological gardens, arboreta.

Protected areas form a single system, designed to preserve the natural diversity, maintain ecological balance and biosphere monitoring. Their set forms of Protected Fund Azerbaijani territories.

Protected areas are taken into account when plans, schemes and programs at all levels and areas, including plans for economic and social development schemes land management and regional planning.

For the protection of specially protected natural areas of unfavorable anthropogenic impact on the adjacent areas of land and water areas can be created, security zone, the prohibition on the lands of these areas of activity, harmful affecting the natural complexes and objects of specially protected natural areas.

Article 77. Goals and objectives of protected areas

State reserves are nature and research institutions with a view to maintaining and study of typical and unique natural complexes, the gene pool plants and animals, monitoring of natural processes and dynamics phenomena.

State reserves, the territory of which are presented Representative samples of the natural landscape, and included in the the established order in the international network of biosphere reserves, have the status of biosphere state reserves.

Earth, water, mineral resources, flora and fauna of the territory state reserves completely and permanently removed from economic exploitation and to donate Reserves for permanent use. Lease of land and other state reserves of natural resources is prohibited.

Each Reserve acts on the basis of regulations, approved by the State Committee of the Republic of Azerbaijan for Ecology and Control Over Use of Nature.

Article 78. State property on Protected Areas

Specially protected natural territories of Azerbaijan Republic are state property.

State reserves, reserves and national parks belong to the Republican property objects. Specially protected areas of other categories in accordance with their significance can also refer to objects of ownership Nakhichevan Autonomous Republic, administrative territorial entities.

Protected areas contained by of the national budget or the national reserve Environmental Protection Fund, are objects of republican property.

Actions, which directly or indirectly violate the right state ownership of the specially protected natural the territory of the Azerbaijan Republic shall be prohibited.

Article 79. Lands of specially protected natural areas

Earth's Protected Areas are lands environmental and other purposes provided in the established order.

On the lands of specially protected areas is prohibited activities contrary to their intended purpose. Order use and protection of these lands is determined by this Law and the current legislation of Azerbaijan Republic.

Protected areas are exempt from charges for the land.

Withdrawal of lands of state reserves and equivalent These other categories or functional areas of protected natural areas (national nature reserves, protected areas of national parks) is prohibited.

Exchange of lands of state reserves and equivalent or other categories of functional zones of Protected territories by decision of the Supreme Council The Republic of Azerbaijan.

Article 80. The order of formation Protected Areas

State reserves, state nature reserves, national parks and natural reserves,

state reserves and natural monuments of national values are formed by the State Committee Azerbaijan Republic for Ecology and Control Environmental consultation with the relevant organizations and on the basis of the recommendations of the Academy of Sciences The Republic of Azerbaijan.

Natural reserves, national sanctuaries and monuments local nature are formed in consultation with the Cabinet Ministers of Nakhchivan Autonomous Republic and local authorities the executive branch of the State Committee Azerbaijan Republic for Ecology and Control environmental and based on the recommendations of the Academy of Sciences The Republic of Azerbaijan.

Ad territory of the State Reserve, monument nature or national park area (except for the protected zone) permitted without exception they occupy land from landowners and land users. Moreover, enterprises, institutions and organizations which are formed on the lands of national parks, state reserves or natural monuments, must strictly observe the established in these specially protected territories regime.

For the organization of state reserves, state nature reserves and national parks do not require the consent of the departments, enterprises, institutions and organizations engaged in economic activity and environmental management on this territory, unless withdrawn lands are not in their possession, or use.

All damages (including lost profits) suffered enterprises, institutions, organizations and citizens in by the organization of specially protected areas and land acquisition, termination of the right of exploitation of natural resources, shall be reimbursed in full in accordance with the procedure established the legislation of the Azerbaijan Republic.

Along with the approval of the Cabinet of Ministers Azerbaijan Republic the general scheme of development and placement specially protected natural territories or territorial scheme Nature Conservation relevant local executive government decision on reservation land, proposed for the organization of the State Reserve, State nature reserve or national park.

Economic activity in the territory of land users restricted or terminated pending a decision on the organization These specially protected areas.

Projects of organization of state reserves, state natural tracts and national government Parks comply with the relevant scientific and design

organizations.

For scientific experimental research, the study of natural processes is limited, traditional nature can create polygons biosphere state reserves, including the right land.

Article 81. Public administration and state control in the field of organization, use and protection of protected areas

State management in the field of organization, use and protection of especially protected natural territories carried out by the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature as the specially authorized body, as well as relevant local executive authorities.

State control in the field of protection and use specially protected natural territories is carried out by the Soviets People's Deputies (the corresponding levels) and the State Committee of the Azerbaijan Republic for Ecology and Control environmental.

Article 82. State Cadastre Protected Areas

The Republic of Azerbaijan

State cadastre of specially protected natural areas includes information on the legal status of these territories, their geographical location, quantitative and qualitative characteristics, environmental, scientific, educational and other values, land users.

State cadastre of specially protected natural areas Azerbaijan is conducted for the organization planning network of these areas, to ensure their protection and scientific research, improving the state control over compliance with their conservation regime, taking into account these areas when the planning of socio-economic development and placement productive forces, as well as coordination in the field organization, use and protection of Protected territories of the Azerbaijan Republic and other similar entities that make up a worldwide system of these territories.

Article 83. Protection Organization Protected Areas

Protection of state and government reserves

National Park by a special service for the protection of Nature reserves and national government national parks and regulated by the Regulations approved State Committee of the Azerbaijan Republic on ecology and Control of Nature.

Article 84. Protection of rare and endangered animals and plants

Rare and endangered species of animals and plants that are permanently or temporarily (grow) in natural conditions of the Azerbaijan Republic, are subject to special protection and entered in the Red Book of the Azerbaijan Republic.

Regulation on the Red Book of the Republic of Azerbaijan shall be approved State Committee of the Azerbaijan Republic on ecology and Control of Nature.

In order to preserve rare species of animals and plants, Red Book, as well as species whose recovery in natural conditions is not possible, the local Councils of People Deputies specially authorized state bodies management in the field of environmental protection and use of natural the resources required to implement the necessary measures to ensure the protection of these species of animals and plants to improve their habitat, creation of proper conditions for their reproduction or breeding.

Article 85. Research activities in state reserves

Research activities in the state

Reserves held by the organization of stationary year-round observations and multi-year comprehensive research and

It aims to explore the natural complexes, individual objects natural dynamics of natural processes to evaluate and prediction of the environmental situation, the development of scientific bases environmental protection, preservation of the gene pool of living organisms (Biological diversity of the biosphere), reproduction and rational use of natural resources.

For all the state reserves is mandatory maintenance "Chronicle of Nature".

To organize and conduct research state reserves provided scientific staff employees. Scientific studies may also be conducted with the involvement of other organizations and individuals. IN state reserves may be established scientists (scientific) tips. The composition of the scientist (research) and the Council Regulation on him approved by the State Committee of the Republic of Azerbaijan for Ecology and Control Over Use of Nature.

Scientific funds of state reserves to be indefinite storage.

State Reserve granted the right of publication scientific papers.

Article 86. Rights of the state inspectors for nature protection in state reserves, state natural reserves, national reserves, state nature reserves

State and National Parks

State Inspector of Nature Protection of State nature reserves, national nature reserves, nature reserves tracts, state reserves and national government parks have the right to:

check with the citizens and officials documents on the right location, wildlife and other activities in the territory state reserves, state nature reserves, natural reserves, national sanctuaries and the state of national parks, protected areas and their other their territory;

to detain violators of reserves and bring them to police station, local authorities for identification;

draw up reports on violations of the established regime;

confiscate violators regime established products and tools illegal nature, vehicles, and the relevant documents;

to make a personal inspection, inspection items, transport tools, verification instruments and production of natural resources; freely visit enterprises, hydraulic structures, institutions and organizations, vessels and other vehicles means the territory of the state reserves, state natural reserves, natural reserves, state reserves, state national parks, their protected zones and other areas under their jurisdiction to verification of compliance with the requirements of environmental legislation;

suspend and cancel contradicting the current legislation and the establishment of the regime of state nature reserves, national nature reserves, nature reserves tracts, state reserves, national parks, their protected zones and other areas under their jurisdiction specified

Officials carrying out economic and other activities in these areas.

Chief State Inspector of Nature Protection

state reserves, state nature reserves, natural reserves, national sanctuaries and national parks, as well as the heads of the authorities having jurisdiction which they are located, have the right to:

considered in accordance with established procedure of administrative affairs violation of the state reserves, state nature reserves, natural reserves, state nature reserves, national parks, protected areas and their other within their territory, to impose fines on these cases on the perpetrators;

sue companies, organizations, institutions and citizens of the recovery in the income of state reserves, national parks and other protected areas funds compensation for damage caused by the breach the established regime of state reserves, national parks and their protection zones and other areas under their jurisdiction.

Heads of state reserves and specially protected natural areas within its territory have the rights state inspectors for nature protection.

Workers of protection of state reserves, state nature reserves, natural reserves, state game reserves and national parks have the right to bear arms and special equipment while on duty.

Weapons and special means of active defense can be used in as a last resort in repelling an attack on workers' protection and other persons performing public duties or the duty to maintain the regime of protected areas, and other attack when their life and health are in hazard.

Weapons and special equipment can also be used when other ways and means it is impossible to suppress the resistance of the person armed resistance, armed or delay offender refuses to comply with a legal requirement to surrender weapons.

The use of weapons and special means of active defense must preceded by a warning. Without warning weapons special means of active defense can be used in case of sudden assault, assault with the use of fire-fighting weapons and using vehicles.

Weapons and special equipment issued, stored, and are worn used in accordance with the rules for this.

Protection of natural monuments and other specially protected territories is carried out in the manner prescribed the legislation of the Azerbaijan Republic.

Article 87. Responsibility for violation of the regime in Protected Areas

Citizens and officials responsible for violation of the special protected areas, bear criminal, administrative and other liability in accordance with the law The Republic of Azerbaijan. Enterprises, institutions, organizations and citizens, as well as joint ventures, foreign legal entities and individuals We are obliged to compensate the damage caused by violation of the special protected areas in the amount and manner established by the legislation of the Azerbaijan Republic.

Article 88. Public participation in the organization, use and protection of Protected Areas

Civil society organizations and individuals have assist public authorities in the implementation of measures to organization, use and protection of Protected territories. Government agencies fully taken into account in the implementation of these measures offer the public organizations and individual citizens.

Article 89. Protection mode Protected Areas and natural monuments and software

Arming of protected areas and natural monuments is provided on the basis of the order, determined by the State Committee of Azerbaijan Republic for Ecology and Control Over Use of Nature.

Chapter XIV

DISPUTE RESOLUTION IN THE FIELD OF NATURE RESPONSIBILITY FOR VIOLATION OF THE LAW On Environmental Protection and Nature

Article 90. Settlement of Disputes
in the field of environmental protection and nature
Disputes in the field of environmental protection and nature decide
The Supreme Council of the Republic of Azerbaijan, the Cabinet of Ministers
The Republic of Azerbaijan, State Committee
Azerbaijan Republic for Ecology and Control
environmental management, the Ministry of Health of Azerbaijan
Republic, local executive authorities, the court, the Supreme
Commercial Court and other competent authorities in order
the legislation of the Azerbaijan Republic.
Disputes between government organizations, other
of natural resources of the Azerbaijan Republic and other
government, their legal and physical persons are solved at
Based prisoners of Azerbaijan Republic and two
multilateral treaties and agreements in accordance with them,
or the arbitral tribunal.

Article 91. Responsibility for violation of the Law on Protection of Nature and nature

Violation of standards and other regulatory and technical requirements
nature protection; failure to comply with state
environmental impact assessment; violation of environmental requirements in
planning, design, siting, construction,
reconstruction, commissioning, operation and decommissioning
enterprises, facilities, mobile equipment and other facilities;
failure to comply with sanitary norms, rules and hygienic standards;
excessive contamination of the environment, physical and otherwise
harmful effect on it; failure to take measures for the elimination of
the effects of the harmful effects on the environment; failure
Prescriptions bodies exercising state control over the
conservation; violation of environmental regulations in the
storage, transportation, use, disposal and
disposal of industrial, household and other wastes;
violation of environmental requirements in the management of radioactive
and harmful chemicals; disclaimer
timely, complete and reliable information on the state of

the environment, as well as on the sources of pollution, concealment
Data produced by excessive discharges and emissions
pollutants, accidents or accidents with hazardous
environmental impacts; unauthorized occupation of forest land
Fund; violation of the rules and procedures for collecting, harvesting of medicinal and
other wild plants, non-allocation of land
for planting erosion forest plantations drives
accordance with the established procedure to the legislation
civil, material, administrative and criminal
responsibility.

Article 92. The inevitability of responsibility for violations of the Law on Protection of Nature and nature

Enterprises, organizations and institutions and their officials,
citizens who have violated the requirements of the Law of the Azerbaijan Republic
Nature Conservation and Nature, are involved in
civil, material, administrative and criminal
liability in accordance with applicable law
The Republic of Azerbaijan.

Supervision of compliance with legislation on environmental
Protection Procurator-General of Azerbaijan Republic
and his subordinate prosecutors' offices.

In supervising the prosecution authorities used
submitted to them by the legislation of the Azerbaijan Republic
rights, including recourse to the courts or arbitration courts with claims for
compensation for damage caused by the breach
legislation on the protection of nature and the termination of ecologically
hazardous activities.

Chapter XV

**THE INTERNATIONAL COOPERATION
THE REPUBLIC OF AZERBAIJAN
In the field of nature protection**

Article 93. Forms of participation of the Republic of Azerbaijan in cooperation in the field of nature protection

The Republic of Azerbaijan participates in the international
Cooperation in the field of nature, an international treaty
on the protection of the environment and its resources,
participating in the activities of international organizations Protection
the environment, contributing to the financing of registered
UN agencies historical, cultural heritage and monuments
Nature.

The Republic of Azerbaijan is responsible for implementing
international obligations for the protection of nature.

Article 94 The principles and guidelines of the international Cooperation of the Republic of Azerbaijan in the field of environmental protection

The Republic of Azerbaijan, participating in international Cooperation in the field of environmental protection, guided recognized and proclaimed international principles Conservation of Nature.

Cooperating with other States in the field of environmental protection, The Republic of Azerbaijan shall:

strive for universal environmental safety;

to participate actively in regional and global

Problems of Nature Protection;

not to violate the sovereign rights of other states over their natural resources;

supply stakeholders with objective information on the environmental situation in the country;

to cooperate in eliminating the negative effects ecological disasters and accidents;

Enhance scientific and technical communication in the field of ecology and natural resources;

to fulfill other international obligations on protection of the environment and natural resources.

Article 95. Value the legislation of the Azerbaijan Republic Nature Conservation and Nature with international treaties for Environmental Protection

The laws of the Republic of Azerbaijan shall comply with signed and ratified by the Republic of Azerbaijan international agreements on the protection of the environment and generally accepted international standards of environmental protection.

In those cases, when signed or ratified

The Republic of Azerbaijan agreement on environmental medium fixed rules other than those stipulated by the laws Republic of Azerbaijan on protection of nature and nature, rules of international treaty.

Implementing powers

President of the Republic of Azerbaijan

Chairman of the Supreme Council

The Republic of Azerbaijan

YA.MAMEDOV

Baku

February 25, 1992.

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