

# Law of Azerbaijan Republic

## 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 Nature Conservation Act and Environmental Management

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, native Azerbaijan landscape, 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; establishing the rights and responsibilities 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 of wildlife management in the organization Azerbaijan is the priority of environmental and social interests of the republic over its economic interests in their rational combination.

According to this:

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 natural reproduction

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 a favorable environment for life

Every citizen of the Republic of Azerbaijan has the right to accommodation favorable for his health and life environment 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 conservation, sustainable use, restoration and

reproduction of natural resources, respect

environmental legislation.

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

Environmental Protection

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

This right is guaranteed by:

planning and valuation of environmental quality 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 situation in the republic, as well as separate areas, cities, zones and areas.

This right is provided regular coverage in the organs media information on the state of the natural protection for the relevant 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 due to 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, holding 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 for Nature

## 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 by the 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 management relate:

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

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

- a) Ensure the implementation of environmental policy in the Republic of Azerbaijan, the environmental rights of citizens;
- b) approve the environmental program;
- 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 in the Republic of Azerbaijan, 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

Azerbaijan Republic for Ecology and Control of the environmental. Ministry of Health of Azerbaijan

Republic and other authorities, the leadership of this Law and other legislative acts

The Republic of Azerbaijan in the field of protection and use of natural resources.

State management in the field of protection and management of use of land, water, forest, mineral and other

resources in accordance with the requirements of the codes of the Republic of Azerbaijan about them.

The Cabinet of Ministers of the Azerbaijan Republic, the Cabinet of 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

environmental protection 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:

developing comprehensive programs and action plans

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

Conservation of Nature and Nature;

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 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 CONSERVATION

#### And environmental management

#### Article 15. The economic mechanism

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 design, 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 incentives for groups 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 incentives and price premiums for environmentally clean production;

full or partial deprivation of officers and employees State enterprises and organizations of awards 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 install other types of economic incentives activities for nature protection, sustainable and integrated use of natural resources.

Financing of economic stimulus Protection nature carried out at the expense of 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 Environment Protection Fund of Azerbaijan Republic  
For the cost of protection and improvement of the natural  
protection, recovery and restoration of natural resources,  
strengthening the material and 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 protection 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  
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  
public and other organizations and expenditure on protection  
environment, rational and complex  
natural resources.  
The procedure of formation and spending of these funds  
defined in terms of them approved by the relevant  
NGOs.  
For the financing of environmental protection measures, management  
use of natural resources, promotion of work on  
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 governmental bodies with the consent of the Conservation of Nature 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 adverse consequences such exposure - immediately take the necessary measures to eliminate them;  
to conserve 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 Verification For the environment AND NATURAL RESOURCES

Article 23. Control Objectives  
in the field of environmental protection and nature  
Tasks 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 environment, as well as the verification of the implementation of 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 procedure for implementation of integrated Environmental Monitoring determines the State Committee Azerbaijan Republic for Ecology and Control of 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 behind 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 conducting works in industry and mining, and in the field, In addition, - the Council of People's Deputies.

#### Officials of state control

nature protection and management 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 farming people, examine documents, analyzes, other materials necessary to carry out their duty;  
withdraw obtained in violation of environmental protection order products and illegal hunting guns, vehicles, and as the relevant documents, to make a personal inspection, inspection of things, vehicles, and weapons testing 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 monitoring compliance with the actual volumes use of natural resources data reporting, 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) for placement, design, construction, reconstruction, commissioning, operation of facilities; engage in the prescribed manner the perpetrators to administrative responsibility, direct materials relevant organizations on bringing them to the 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 the relevant decisions of the institution banks stopped financing prohibited activities to the lifting of the ban it in the body of state control environmental and natural resources. Officials other employees, citizens are responsible 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 the natural environment, comply with standards of consumption of natural resources, the volume of the impact on the natural environment, the requirements of environmental legislation. The procedure for the organization and activities of departmental environmental services or services with the power of departmental Environmental Control is governed by the provisions approved on the basis of this Act ministries and departments, in coordination with the 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  
the environment, regulatory compliance consumption  
natural resources, the volume of the environmental natural  
environment, comply with the requirements of environmental  
legislation.

The order of organization and activity of industrial services  
environmental control governed by the provisions approved on  
the basis of this law by enterprises, organizations and  
institutions or their parent bodies, in consultation with  
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 behind  
environmental, as well as the 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  
provision of 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 carried out economic and other activities which may present or future, directly or indirectly affect 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 rules, hygienic norms;  
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:

of the rights of all people in the surrounding environment conducive 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;

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 yalyayutsya:

all kinds of pre and pre-project (including projects  
state, national and international programs)

the documentation for the development and distribution of productive forces  
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  
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 of  
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 shall be binding.

Article 35. Financing of the implementation of  
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  
The customer and developer of the project of economic activity  
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 commission (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, which is planned 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 of  
environmental granted the right to suspend  
(stop) the process of implementing economic solutions.

Article 39. Goals and objectives of post-project analysis  
Post-project analysis is an economic activity  
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,  
It has the most significant impact on the environment  
environment, held by a decision of the State Committee  
Azerbaijan Republic for Ecology and Control of  
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 customers of the project  
economic activity and expert body systems  
Republican State Committee on Ecology and Control

based on the results of the environmental state  
environmental impact assessment, are considered by the State  
Committee of the Azerbaijan Republic for Ecology and Control of  
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 review and

the independence of its decisions on the positions of stakeholders;

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 exclusive relationship expert bodies

State Committee of the Azerbaijan Republic on ecology and

Control of natural resources with the customer or developer

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 review made by the Customer

documentation or body (person), initiating its implementation. Sizes

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 of 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 government for nature protection prior to 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 state ecological examination State environmental expertise documentation the decision of the most important economic problems, government programs, feasibility studies (calculations) and project construction of largest and most complex facilities and systems may be implemented by peer commissions (groups) of scientists, experts and representatives 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, constructions and other objects 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 of contaminants into the environment;

maximum allowable one-time emissions and discharges of 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 of 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 affecting 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 necessary,

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

constructions and other objects

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 is done in the presence of

the positive conclusion of the State Committee

Azerbaijan Republic for Ecology and Control of

environmental and local authorities, the Ministry of

Health of the Azerbaijan Republic and agreement

the relevant Council. Where necessary,

when placing objects affecting environmental interests

the population living in this area, 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,

constructions and other objects

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,

constructions and other objects

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

current environmental, sanitary and

building codes.

It prohibited the implementation of preparatory work on the ground, construction and reconstruction of objects to the approval of the project and land allotment. Can not change approved the project or the cost of the design work to the detriment of the requirements environmental safety and environmental management. Implementation of works stipulated 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 of 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 constructions and other objects Commissioning of the completed construction companies, 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,

Structures, other facilities

And performing other activities

#### Article 55. General environmental requirements

the operation of enterprises, constructions and other objects Enterprises, organizations, institutions enforce established standards of quality of the environment in the based on the smooth and efficient operation of water treatment facilities, 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 the 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 the productivity of the natural, soil and plant ecosystems, causing harm to human health and the environment.

Failure to comply with these requirements, harming environment and human health entails restriction suspension or termination of environmentally harmful activities agricultural and other facilities on the decision of the authorities 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, the terrain for 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.

The Republic of Azerbaijan is prohibited placement of 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 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 in the case of 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 of 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 of 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 harmful biological effects of environmental the environment and human health.

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

The excess of the established norms of maximum permissible levels of environmental 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 the generation, 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 power.

## Chapter X

### Public participation in nature protection

Article 64. Forms of public participation in the protection of nature  
The population participates 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 participation in the work on 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 ecological functions, have the right to:  
develop, approve and promote their environmental programs to protect the environmental rights and interests population and its separate groups, to develop ecological culture population, involve volunteer for active citizens environmental performance;  
at the expense of their own and borrowed funds, and labor force participation

population to perform work for the protection, restoration and reproduction of natural resources, rehabilitation and improvement of environment, to conduct independent study or participate in organized and conducted by public authorities Nature Protection perform inspections enterprises, organizations, institutions and citizens of conservation activities to provide all possible assistance to state nature conservation bodies in the fight against infringements environmental legislation, to create public Funds for the protection of nature and spend them on hold environmental activities;

take part in the State Ecological Expertise placement, design, construction, commissioning environmentally hazardous and harmful enterprises, structures and objects, to organize and conduct public environmental review, put into question the established order on cancellation of decisions placement, construction and 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 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 appointment 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 the 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

Among the violations prirodohranitelnogo legislation if any action is taken in the prescribed manner State bodies 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 of the organizations;

take part in the discussion of draft laws and other acts submitted for public discussion (referendum) handle letters, statements, complaints, suggestions on nature protection 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 the rights of public organizations and citizens 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 Republic of Azerbaijan 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 of 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, environmental improvement environment, resource conservation, maintenance of favorable the mode of functioning of natural systems and environmental systems that prevent negative impacts 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;
- provide 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 permissible environmental load for a given  
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 scientific institutions taking part 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 the decision  
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  
the 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 adverse effects on the surrounding environment,  
develop and implement measures to prevent accidents and  
elimination of their adverse environmental impacts.  
To be effective, action of environmental  
situations entailing 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,  
institutions and specialized services for prevention  
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  
Azerbaijan Emergency Situations. Besides,  
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 service, the provision of 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 the elemental 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 the 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. Funding for the emergency rehabilitation of areas 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

### Specially protected natural territories and objects

#### Article 76. Determining the category and legal status

##### Protected Areas

Protected areas - it 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 completely or partially, 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.

Land, 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. Featured 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. The Earth's Protected 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. The procedure 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 land national parks 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 state reserves, 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 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 areas 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 planning organization 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 national parks and government National Park by a special service for the protection of Nature reserves and national government national parks and is 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 Azerbaijan Republic is 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 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 "Annals 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. AT state reserves may be established scientists (scientific) advice. 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 state reserves,

state natural reserves, natural reserves, state nature reserves

State and National Parks

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

check with the citizens and officials documents on the right location, nature 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 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 national parks, state natural reserves, natural reserves, state reserves, state national parks, their protected zones and other areas under their jurisdiction to checking 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, protected 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 and their protection zones and other within their territory, to impose fines on these cases on the perpetrators;

sue businesses, 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 precede 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  
Protected Areas

Citizens and officials responsible for violation of the special protected areas are subject to 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 size and manner, established by the legislation of the Azerbaijan Republic.

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

Protected Areas

Community 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 of  
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 on the Republic of Azerbaijan concluded bilateral and  
multilateral treaties and agreements in accordance with them,  
or the arbitral tribunal.

Article 91. Responsibility  
for breach of the Nature Conservation Act  
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 to comply  
Prescriptions bodies exercising state control  
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 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  
Environment Procurator-General of the Republic of Azerbaijan  
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

##### 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 organizations, the historical and cultural heritage and monuments  
Nature.

The Republic of Azerbaijan is responsible for the implementation of  
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 relations 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  
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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