



NATIONS UNIES
COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

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25 March 2013

Ref. EIA/IC/S/5

Dear Ms. Babayeva,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context (Espoo, 1991).

As you are aware, on 31 August 2011 the Government of Armenia made a submission to the Committee expressing concerns about Azerbaijan's compliance with its obligations under the Convention with respect to six named oil and gas projects by Azerbaijan. A meeting of the Committee was held with the two Parties concerned on 27 November 2012. The Committee subsequently prepared the attached draft findings and recommendations, which should not be publicly available at this stage.

You may also recall that the Meeting of the Parties has decided that "the Committee shall decide on the content of any report or recommendations by consensus, send a copy of the draft report or recommendations to the Parties concerned, and shall take into account any representations from such Parties in the finalization of the report" (para. 9 of the Committee's structure and functions and the procedures for the review of compliance, as included in the appendix to decision III/2). In accordance with this provision, you are invited to submit to the secretariat **by 31 May 2013** at the latest your comments or representations.

The Implementation Committee will consider these comments or representations before finalizing its findings and recommendations at its twenty-eight session (10–12 September 2013).

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Once finalized, the Committee's findings and recommendations shall be submitted to the sixth session of the Meeting of the Parties, which is expected to be held in May or June 2014, for consideration.

I also wish to draw to your attention that in parallel to finalizing its findings and recommendations further to the submission by Armenia, the Committee decided to seek further information regarding the likely significant adverse transboundary impact of and the transboundary environmental impact assessment process for two of the activities referred to in the submission vis-à-vis the other Caspian Sea coastal States that are Parties to the Convention, namely Kazakhstan.

You are kindly requested to provide the following written information to the Convention's secretariat **no later than 31 May 2013** for the Committee to consider at its next session:

1. Could Azerbaijan exclude the possibility of a significant adverse transboundary environmental impact from the Joint Development and Production Sharing for the Azeri and Chirag oil and gas Fields and the Deep Water Portion of the Gunashli oil and gas Field in the Azerbaijan Sector of the Caspian Sea, including the Sangachal terminal (the ACG project), and the Shah Deniz project on the territory of Kazakhstan?

2. The environmental impact assessment for phase 2 of the ACG project indicates that the consultant for the EIA documentation agreed with the Ministry of Ecology and Natural Resources (MENR) of Azerbaijan to transmit, through the Caspian Environment Programme, the Environmental and Social Impact Assessment (ESIA) report to the other Caspian countries. To which countries was this report transmitted? Was the report transmitted for any other phases of the ACG project, or the Shah Deniz project? Could Azerbaijan transmit a copy of the letter by which MENR agreed with the transmittal of the ESIA report for phase 2 of the ACG project to the Caspian Sea countries, together with its translation into English?

Yours sincerely,



Vesna Kolar Planinšič
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context

Encl: Draft findings and recommendations further to the submission by Armenia regarding Azerbaijan (EIA/IC/S/5)