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## COOPERATION BETWEEN AZERBAIJAN AND EUROPEAN UNION FOR LEGAL REGULATION OF ENVIRONMENTAL SECURITY

### Abstract

After proclaimed its independence in 1991, the Republic of Azerbaijan has developed relations with the European Union in various fields, including support for economic, political and environmental reforms, the establishment of the East-West transport corridor, and the development of infrastructure.

The Partnership and Cooperation Agreement, which was signed in 1996 and entered into force in 1999, covers cooperation in the areas of political dialogue, trade, investment, legislation, science and culture. In 1998, the EU appointed its own special representative in Azerbaijan. In 2000, the Representation of Azerbaijan in the EU was established.

Azerbaijan joined "The European Neighborhood Policy" in 2004. The State Commission for Cooperation of the Republic of Azerbaijan with the European Union was established on June 1, 2005.

Azerbaijan is interested in developing relations with the European Union (EU) based on equal partnership. In 2009, the Eastern Partnership program, a format of multilateral cooperation in the eastern direction.

The European Union is working together with Azerbaijan to tackle climate change and to ensure a better quality of life for Azerbaijani citizens through the development of better environmental policies and greener investments in the modernisation of the social and technical infrastructure in cities.

Cooperation with the European Union includes decision-making aimed at protecting the environment, promoting a sustainable economy and greenery - "smart" environmental legislation - protecting the ecosystem, reducing emissions, etc. That is important in the study and application of knowledge on issues

**Key words:** *Environment, Water resources, Nature, Regulation, Greener and Biodiversity*

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## Ətraf mühit təhlükəsizliyinin hüquqi tənzimlənməsi üzrə Azərbaycan ilə Avropa İttifaqı arasında əməkdaşlıq

### Xülasə

Azərbaycan Respublikası 1991-ci ildə dövlət müstəqilliyini bərpa etdikdən sonra Avropa İttifaqı ilə əlaqələri indiyədək iqtisadi, siyasi, ekoloji islahatlara dəstək, Şərqi-Qərbi nəqliyyat-kommunikasiya dəhlizinin yaradılması, infrastrukturun inkişafı və s. kimi müxtəlif çərçivələrdə inkişaf etdirmişdir.

1996-cı ildə imzalanmış Tərəfdaşlıq və Əməkdaşlıq Sazişi (1999-cu ildə qüvvəyə minmişdir) siyasi dialoq, ticarət, sərmayə, qanunvericilik, elm və mədəniyyət sahəsində əməkdaşlığı əhatə etmişdir. 1998-ci il tarixində Aİ Azərbaycana xüsusi elçisini təyin etmişdir. 2000-ci ildə Azərbaycanın Aİ yanında Nümayəndəliyi təsis edilmişdir.

1 iyun 2005-ci il tarixində Azərbaycan Respublikası Prezidenti İlham Əliyev tərəfindən Azərbaycan Respublikasının Avropa İttifaqının "Avropa Qonşuluq Siyasəti"yə daxil olması və Azərbaycan üzrə Fəaliyyət Planının işlənilməsinə dair Avropa İttifaqı Şurasının müsbət qərarının qəbul edilməsi nəticəsində Azərbaycan Respublikasının Avropaya inteqrasiyasının keyfiyyətə yeni mərhələyə keçdiyini nəzərə alaraq, Azərbaycan Respublikasının Avropa İttifaqı ilə əlaqələrinin daha da gücləndirilməsi, Avropa İttifaqının Azərbaycan üzrə Fəaliyyət Planının hazırlanması və həyata keçirilməsi üzrə səmərəli və əlaqələndirilmiş işin təmin edilməsi məqsədilə "Azərbaycan Respublika-

sının Avropa İttifaqı ilə əməkdaşlığı üzrə Dövlət Komissiyasının yaradılması haqqında” sərəncam verilmişdir.

Azərbaycan Avropa İttifaqı (Aİ) ilə bərabərhüquqlu tərəfdaşlığa əsaslanan münasibətlərin inkişafında maraqlıdır. Azərbaycan 2009-cu ildən bəri Aİ ilə Şərq Tərəfdaşlığı (ŞT) proqramı çərçivəsində ikitərəfli və çoxtərəfli formatda əməkdaşlıq edir.

Avropa İttifaqı ətraf mühitin qorunmasına dair siyasətin təkmilləşdirilməsi və şəhərlərdə sosial və texniki infrastrukturun müasirləşdirilməsi sahəsində ekologiyanın qorunmasına yönəlmiş sərmayələrin yatırılması vasitəsilə iqlim dəyişikliyi ilə mübarizə aparmaq və Azərbaycan vətəndaşları üçün daha keyfiyyətli həyat təmin etmək məqsədilə Azərbaycan ilə əməkdaşlıq edir.

Avropa İttifaqı ilə əməkdaşlıq ekologiyanın qorunmasına yönəlmiş qərar qəbul etmə, dayanıqlı iqtisadiyyat və yaşıllığın artırılması - “ağıllı”ekoloji qanunvericilik - ekosistemin qorunması, qaz tullantılarının azaldılması və s. kimi məsələlərdə biliklərin öyrənilməsi və tətbiqində mühüm əhəmiyyət kəsb edir.

**Açar sözlər:** *ətraf mühit, su resursları, təbiət, tənzimləmə, yaşıllıq və biomüxtəliflik*

## Introduction

In the new millennium, the preservation of ecological balance, rational use of natural resources, protection of water, soil and air from pollution has become a universal problem. In addition to global demographic growth, concerns such as sharp increases in consumption, global warming, ozone depletion, and depletion of natural resources have also affected environmental thinking and activities.

Maintaining the necessary balance between the economy, society and the environment in the context of the global environmental crisis can only be achieved through the formation of a new environmentally safe and economically optimal model of development - sustainable development. In this context, the main priority now is to coordinate global, regional and national tools to achieve the goals of sustainable development (10)

At present, the protection of environmental components and the application of advanced methods in solving existing environmental problems are being implemented in the international arena.

The World Health Assembly has approved a roadmap to reduce the negative environmental impact of air pollution. The roadmap includes expanding the database on the health effects of air pollution, conducting monitoring and reporting on air pollution targets of the Sustainable Development Goals, and increasing opportunities for cooperation at all levels - local, national, regional and global (12)

In order to prevent land degradation, desertification and protection from climate change, farmers and local communities around the world are being educated on sustainable agriculture and efficient use of land resources. Also, in many countries, early drought warning systems are being set up, forest areas are being planted, and landscaping is being done to prevent erosion.

Legislation and institutional frameworks are being improved to protect and sustain the use of biodiversity around the world. A number of international agreements and conventions have been adopted to protect biodiversity, including the protection of rare and endangered species of flora and fauna, and to eliminate poaching.

Also in Azerbaijan economic development, demographic growth, increased consumption due to rising incomes, climate change and other factors have resulted in an increase in the negative impact on the environment. Pollution of water bodies with wastewater, emissions of harmful gases into the atmosphere, reduction of biodiversity, soil erosion and salinization, deficiencies in waste management are among the existing environmental problems (11)

Our country in recent years, the improvement of the ecological situation, including the efficient use of natural resources, the restoration of contaminated areas, the protection of water resources, the increase of specially protected natural areas, forests and green areas, etc. (5) The projects implemented in these areas have played a role in the restoration of environmental components. The use of low-waste technologies, the rehabilitation of oil-contaminated areas, the restoration of the ecological condition of water bodies, the implementation of landscaping work, especially in the Absheron Peninsula, Baku and Sumgayit, have resulted in improved environmental conditions (2)

12% of the country's territory is covered with forests, and 10.3% are specially protected natural areas. There are 10 National Parks, 10 nature reserves and 24 nature reserves in the country. The uniqueness of natural and geographical conditions has created conditions for the diversity of species of flora and fauna. 9 out of 11 climate types on Earth are found in Azerbaijan. This factor plays an important role in the formation of rich biodiversity in the country (9)

The European Union is the world's largest donor of official development assistance. The European Commission's Directorate General for European Neighbourhood Policy and Enlargement Negotiations (DG NEAR) manages the majority of the Union's financial and technical assistance to the neighbourhood and enlargement countries (13) By implementing assistance actions in Europe's eastern and southern neighbourhood, DG NEAR supports reform and democratic consolidation, and strengthens the prosperity, stability and security around Europe. DG NEAR helps to promote EU values, policies and interests in this region, and to contribute to developing the special relationship of the EU with its neighbouring countries.

Protecting, preserving and improving the environment is essential for present and future generations. Azerbaijan, like other countries in the region, faces difficult challenges in air pollution, ensuring a clean and safe water supply and sustainable waste management (4) The European Union is working together with Azerbaijan to tackle climate change and to ensure a better quality of life for Azerbaijani citizens through the development of better environmental policies and greener investments in the modernisation of the social and technical infrastructure in cities (1)

A legal basis of comprehensive relations between Azerbaijan and the European Union is "Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part (PCA)" signed in Luxembourg on April 22, 1996 and came into force on June 22, 1999. This agreement covers all possible, including political and economic spheres of cooperation between Azerbaijan and the EU. The agreement ensures frameworks of all kinds of cooperation between Azerbaijan and the EU, except military area. PCA was signed for 10 years period and its execution is extended for a period of one year each year as implementation period of the agreement ended in 2009 (6)

The European Union and Azerbaijan work together in these areas:

- Promoting decisions which respect both people and the environment: Developing and implementing policies which ensure a high level of environmental protection and improve the quality of life of Azerbaijani citizens;
- Protecting nature: Building a joint network of protected areas across the Eastern Partnership region, the Emerald Network, and supporting the sustainable management of forests, crucial for better livelihoods in forestry-dependent communities;
- Investing in an environmentally friendly future: Unlocking cheaper and more sustainable finance for local companies, municipalities and households willing to invest in environmentally friendly technologies; (3)
  - Managing vital resources better: Improving the water management systems;
  - Delivering on climate policy goals: Supporting the delivery of the goals set by the Paris Agreement on Climate Change;
  - Protecting biodiversity: Over the years, over-grazing has degraded mountain pastures in Azerbaijan, with impacts on the broader ecosystem and the farming communities that depend on them. The EU and Azerbaijan are working together to establish sustainable pasture management practices, improve the fertility of pastures and forests, and prevent soil erosion and landslides (8)

Results include:

1. pasture inventory of 3,000 hectares of land in target zones;
2. experimental restoration treatments to enhance carbon pools, including the sowing of more than 20 hectares of degraded soil with seeds, completion of 12 demonstration plots with plantings and erosion prevention measures, and establishment of rotational grazing systems for 16 farms;
3. more than 3,000 hectares of summer pastures restored.;

Monitoring air quality: The EU has launched a Twinning programme with Azerbaijan, aimed at strengthening environmental monitoring systems to ensure reliable data for policy planning. Working with the Ministry of Ecology and Natural Resources, the project aims to:

1. streamline collection, processing and reporting of data at the Ministry;
2. develop technical systems for environmental monitoring – comparing technical standards for air quality monitoring, water and soil sampling with EU standards and providing recommendations for priority investments;
3. train staff on data collection and analysis (workshops, hands-on training and study visits);
4. implement modernised systems through real case studies, including public communication of air quality assessment and pollution level index.

About EU4Environment and its important for Azerbaijan:

The general objective of EU4Environment is to help the partner countries preserve their natural capital and increase people's environmental well-being by supporting environment-related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts. The “EU4Environment” Action, funded by the European Union, aims to support Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova, and Ukraine to preserve and better use their natural capital, increase people's environmental well-being, and grasp new development opportunities. With a budget of some EUR 20 million for all six countries, “EU4Environment” is carried out from 2019 to 2022 with implementation support coming from five international partners: OECD, UNIDO, UNEP, UNECE and the World Bank Group (7)

The EU4Environment programme is structured around five Results:

- Greener decision-making (implemented by UN Environment and UNECE, with coordination by UNIDO);
- Circular economy and new growth opportunities (implemented by UN Environment and UNIDO, with coordination by UNIDO);
- An environmental level playing field (implemented by OECD);
- Ecosystem services and livelihoods (implemented by the World Bank);
- Knowledge sharing and coordination (implemented by OECD, with input from all implementing Partners).

Since 2019, the EU-funded EU4Environment Programme has been supporting Azerbaijan, along with the other five Eastern Partner (EaP) countries, in pursuing its path of green transformation. It helps preserve their natural capital and increase people's environmental well-being by supporting environment-related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts.

“Final EU4Environment work plan for 2019-2022: AZERBAIJAN” presents, in a consolidated manner, the final plan of work in Azerbaijan as part of the European Union for Environment Action. It was prepared based on the discussions at the National launch event in Azerbaijan (15 April 2019, Baku), the Inaugural EU4Environment Regional Assembly meeting (27-28 June 2019, Brussels) and takes into account the final comments received by 6 September 2019.

To support the Programme implementation, the Ministries of Ecology and Natural Resources and of Economy appointed National Focal Points (NFPs) of the EU4Environment. The NFPs aim to serve the coordination role and represent their respective countries during and between the annual Regional Assembly meetings (7)

EU and Azerbaijan launched a new programme on 2 March 2022: EU4Environment – Water Resources and Environmental Data Social. The official launching of the EU4Environment - Water Resources and Environmental Data programme in Azerbaijan was held in an online format on 2 March 2022. This European Union funded programme will further support the country in the preservation of its natural resources in line with the European Green Deal and a post-COVID-19 green recovery. It aims to improve the health and wellbeing of Azerbaijani citizens, as well as the achievement of the Sustainable Development Goals (SDGs). The programme is part of the Team Europe Initiative on Water and Zero Pollution, which aims at moving towards a toxic-free environment for all citizens.

EU4Environment - Water Resources and Environmental Data reinforces the on-going EU4Environment Action in Azerbaijan. It aims to support the implementation of existing and new policies and regulations at local levels through decentralized management of water resources, and give access to reliable data and information on water resources, but also on air quality, land use and waste to decision-makers and Azerbaijani citizens. To this end, EU4Environment - Water Resources and Environmental Data builds upon the success of previous operational projects like the European Water Initiative Plus (EUWI+) and the Shared Environmental Information System Phase II (ENIS SEIS II East) (7)

The European Commission and the implementing partners look forward to continuing and strengthening their engagement with Azerbaijan under this new European Union support. Together they will strengthen the management of water resources and environmental data to benefit the environment and wellbeing of Azerbaijani citizens Mr Rainer Freud, Programme Manager at the Delegation of the European Union to Azerbaijan said: "A healthy environment is crucial for functioning of ecosystems and human wellbeing. In particular, the recent dry years and the COVID-19 pandemic have demonstrated the importance of water in the times of crisis. In the European Union, environmental and water policies are part of the main building blocks of the European Green Deal. Since 2016, the European Union through the EUWI+ and ENI SEIS II EAST programmes has supported Azerbaijan in strengthening its water sector as well as in developing concrete information systems. The adoption of the National Water Strategy and the sharing of produced data with the public are two crucial next steps for Azerbaijan. This project is also supporting the Government of Azerbaijan Action Plan on rational use of water resources in 2020-2022 and can help with prioritization of investment opportunities under the European Investment Plan for Azerbaijan".

During 2020, the work was considerably affected by the COVID-19 pandemic. Despite this unprecedented global challenge, the programme pursued its planned activities and generated several concrete results on the ground.

### Conclusion

The EU and Azerbaijan relations are based on the EU-Azerbaijan Partnership and Cooperation Agreement in force since 1999.

EU and Azerbaijan are working closely to advance the country's prospects for achieving its environmental and climate change related goals. Azerbaijan joined the Eastern Europe Energy Efficiency and Environment Partnership (E5P) and adopted an Energy efficiency law.

Greening Azerbaijan's economy is urgently needed as the current models of growth continue to erode the stocks of natural assets and undermine the integrity of ecosystem services on which economic activity depends. This decade is decisive for boosting the resilience of societies and economies in the context of urgent climate and environmental challenges. This means imminently changing the current models of growth. The shift becomes even more pertinent in the context of the global health emergency of the coronavirus (COVID-19) pandemic.

As part of its co-operation with the European Union, Azerbaijan has made commitments to green economy. This is reflected in the Eastern Partnership Summit Declarations. Azerbaijan's strategic economic policy document "Azerbaijan 2020: Look to the future" integrates environmental concerns, recognises ecological problems from oil extraction among the major challenges and set a target "...to achieve sustainable socio-economic development from an ecological point of view..."

The EU is a key reform partner in Azerbaijan and brings best practices and experience to a wide range of sectors. Azerbaijan is one of the main beneficiaries of the Twinning instrument, profiting from peer-to-peer training and exchange with the EU Member State public administrations. Və bu səbəbdən Azərbaycanla Avropa ittifaqı arasında olan ekoloji təhlükəsizliklə bağlı tərəfdaşlıq mühüm əhəmiyyət kəsb edir. That is why the partnership between Azerbaijan and the European Union on environmental security is important.

### References

1. Məhərrəmov, A.A. (2008) Avropa İttifaqının Ekologiya Hüququ; Bakı, 2008, pages 258;
2. Avropanın canlı təbiətinin və təbii mühitinin qorunması haqqında" Avropa Konvensiyasına qoşulmaq barədə Azərbaycan Respublikasının 28 oktyabr 1999-cu il tarixli Qanunu;
4. "Avropa İttifaqı və Azərbaycan Respublikası arasında enerji sahəsində strateji əməkdaşlığa dair" 7 noyabr 2006-cı il tarixli Anlaşma Memorandumu;
5. "Azərbaycan Respublikası ilə Avropa İttifaqı arasında Azərbaycan Respublikasının İttifaqın proqramlarında iştirakının ümumi prinsipləri haqqında Çərçivə Sazişi üzrə bir tərəfdən Azərbaycan Respublikası, digər tərəfdən Avropa Birliyi və onun üzvü olan dövlətlər arasında Tərəfdaşlıq və Əməkdaşlıq Sazişinin Protokolu"nun təsdiq edilməsi barədə Azərbaycan Respublikasının 30 sentyabr 2014-cü il tarixli Qanunu
6. Azərbaycan Respublikasının "Ekoloji Təhlükəsizlik Haqqında" 8 iyun 1999-cu il tarixli qanunu
7. Azərbaycan Respublikası Prezidentinin "Azərbaycan Respublikasının Avropa İttifaqı ilə əməkdaşlığı üzrə Dövlət Komissiyasının yaradılması haqqında" sərəncamı;
8. EU4Environment work plan for 2019-2023:Azerbaijan, Final version, February 2022, pages 25;
9. European Commission, The European Green Deal, COM/2019/640
10. Əsədov, A.Ə., Axundzadə L.T., Quliyev A.Z. (2007)Ekologiya Hüququ, Bakı, 510s.
11. Jans, H., Vedder, H.B. (2008) European environmental law, Groningen, pages 496
12. Manila, (2005) Azerbaijan Country Environmental Analysis, Philippines;
13. Marjan, P., Mariolina E. (2020) Research Handbook on EU Environmental Law, Northampton, 2020, pages 547;
14. Suzanne, K. (2001) European Perspectives on Environmental Law and Governance; Abingdon, Bakı, pages 261;

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