REPUBLIC OF AZERBAIJAN

JUDICIAL MODERNIZATION PROJECT

PROJECT IMPLEMENTATION MANUAL

ANNEX ___

ENVIRONMENTAL MANAGEMENT PLAN

Baku, March 2006
## ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CIS</td>
<td>Commonwealth of Independent States</td>
</tr>
<tr>
<td>COE</td>
<td>Council of Europe</td>
</tr>
<tr>
<td>EA</td>
<td>Environmental Assessment</td>
</tr>
<tr>
<td>EMP</td>
<td>Environmental Management Plan</td>
</tr>
<tr>
<td>IBRD</td>
<td>International Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>IDA</td>
<td>International Development Association</td>
</tr>
<tr>
<td>JMT</td>
<td>Judicial Modernization Team</td>
</tr>
<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
</tr>
<tr>
<td>MOE</td>
<td>Ministry of Environmental Protection</td>
</tr>
<tr>
<td>MOJ</td>
<td>Ministry of Justice</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>PIM</td>
<td>Project Implementation Manual</td>
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<tr>
<td>PIU</td>
<td>Project Implementation Unit of the Ministry of Justice</td>
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INTRODUCTION AND SUMMARY

1. The World Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus improve decision making (OP 4.01, January 1999). The Bank favors preventive measures over mitigatory or compensatory measures, whenever feasible.

2. The project will assist the Azerbaijan authorities develop, and implement the initial phases of, a long-term judicial system modernization vision and program by building capacity to achieve incremental improvements in efficiency, citizen information, and its ability to handle future demand. The Judicial Modernization Project will have four components:

   Component 1: Strengthening the Management Capacity of Judicial Institutions.
   Component 2: Upgrading Court Facilities
   Component 3: Human Capital - Strengthening Professionalism of Judges and Staff
   Component 4: Improving Citizen Information

3. Components 2 and 3 are expected to have minor environmental impact during renovation or construction of judicial facilities (courthouse, training center). There are no environmental issues associated with Components 1 and 4 which provide technical assistance, training, information services and office equipment. The project has been assigned World Bank environmental category B, since it involves only moderate environmental impacts that can be managed during implementation of the project. A Specific Investment Credit is contemplated for financing this project. The overall cost of the project is estimated at US$33.6 million, with IDA financing of about US$20 million. This Environmental Management Plan (EMP) provides mitigation plans and monitoring plans to ensure appropriate attention to environmental and social safeguards issues, and tracking progress or problems in their management.

ENVIRONMENTAL ASSESSMENT

A. IBRD Safeguards Policy

4. The World Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus improve decision making (OP 4.01, January 1999).

5. EA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. EA evaluates a project's potential environmental risks and impacts in its area of influence; examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project implementation. The Bank favors preventive measures over mitigatory or compensatory measures, whenever feasible.

6. EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and cultural property); and transboundary and global environmental aspects. It also takes into account the variations in project and country conditions; the findings of country environmental studies; national
environmental action plans; the country’s overall policy framework, national legislation, and institutional capabilities related to the environment and social aspects; and obligations of the country, pertaining to project activities, under relevant international environmental treaties and agreements. The Bank does not finance project activities that would contravene such country obligations, as identified during the EA.

7. Key considerations to be taken into account during the EA process include:

- Generic initial screening to determine appropriate environmental assessment;
- Compliance with existing environmental regulations in Azerbaijan;
- Linkages with social assessment;
- Analysis of alternatives;
- Public participation and consultation with affected people and organizations; and
- Disclosure of information.

B. Azerbaijan Legislation

B.1 Environmental Legislation and Procedures

8. Activities carried out under the project will conform to current laws in Azerbaijan and sound environmental principles. In general, construction and building renovation activities will not contribute to the permanent degradation of the physical and human environment.

9. Environmental protection in Azerbaijan is governed by the Law on Environment Protection (1999). The Law establishes the main environmental protection principles, and the rights and obligations of the State, public associations and citizens regarding environmental protection. It establishes the requirements for the preparation of environmental impact assessments, environmental quality standards, requirements for permitting the activities that affect the environment, prevention and reduction of environmental pollution, environmental monitoring and control, the role of the public and sanctions imposed on law violators. Other laws governing specific issues such as sanitary-epidemiological welfare, land reform, energy, health, water, forests, cadastre and land use, industrial and domestic wastes, ecological safety, water supply and wastewater, atmospheric protection and specially protected areas have been adopted since 1992. In addition, a large number (some 75+) of Decisions of the Cabinet of Ministers have been issued to help interpret the body of environmental legislation and related Presidential Degrees and Orders.

10. According to Article 42 of the Law on Environmental protection, the Ministry of Environment (MOE) is the competent authority for reviewing the EIA request and documentation prepared by independent experts hired by the project developer prior to initiation of a new investment project. Other key laws forming the legal basis for EIA are the Law on Ecological Safety (1999) and the Provision on the Process of Environmental Impact Assessment in Azerbaijan (1996). The EIA application may be submitted to the head office of the MOE or to
a local branch office. In the process of reviewing the EIA application the MOE evaluates the following criteria:

- Whether the proposed project envisions new technologies;
- The volumes and complexity of the proposed processes or technologies;
- The expected environmental consequences;
- Whether the proposed project would create significant changes for the local population; and
- Public response to the proposal.

**B.2 Construction standards and regulations**

11. In Azerbaijan, engineering survey, design and construction standards and regulations are governed by the State Construction Committee. Rules of conducting supervision and control procedures by the State Construction Committee had been approved by the Cabinet of Ministers in 2003. Subject to the State Construction Committee regulations all construction operations are to be carried out with due regard to the environmental requirements. Following the existing construction rules, construction or renovation works are to be carried out on the basis of the approved project (design) documents only. The State Construction Committee issues special licenses to conduct engineering survey and design operations (no license is required for construction operations).

12. The project design documents include descriptions of proposed construction and related activities together with applications for permits from relevant authorities for geological studies of soil characteristics, fire safety, public health, utilities (gas, water, electricity, telecommunications) and environmental assessment. The relevant authorities conduct inspections during construction to monitor compliance with the permits, and may issue significant fines if violations are found.

**C. Potential Environmental Impacts**

13. Component II, Upgrading Court Facilities, is to include rehabilitation of existing courts and construction of new courthouses on the sites of approximately 17 existing facilities or state-owned land in urban centers, mainly Baku, Sumgayit, Sheki, Ali Bayramli, Ganga and Nakhchivan. The selection of specific courthouses will be made on the basis of the infrastructure Master Plan to be prepared by the Ministry of Justice during the first year of the project. The Master Plan will include consideration of cultural heritage value of the buildings selected for rehabilitation or reconstruction, and will take social, cultural and historical value into account in the design of construction or rehabilitation works. The Training Center to be provided under Component III, Human Capital Strengthening, may be a renovation of an existing facility or a new construction, depending on the conclusions of the infrastructure Master Plan. The other project components have no environmental impact, apart from the general very positive impact that modernization of the judicial system would contribute to a more efficient and transparent practice of rule of law, which is a necessary element for effective environmental regulatory compliance.
14. The short-term negative environmental impacts, which inevitably occur during construction or rehabilitation works, will be minimized by proper planning and application of preventive measures, and will be mitigated by restorative actions after the civil works are completed. Use of construction materials, which are hazardous to human health (e.g., asbestos), will not be permitted, consistent with Azeri regulations. The main environmental risks for the project are:

**During renovation or construction of the facilities:**

- Dust raised from the roads in the construction sites and from material carrying trucks
- Waste water from construction/renovation sites
- Disposal of solid wastes
- Use of materials that may damage health (i.e. heavy-metal (lead) containing paints, asbestos-cement tiles, pipes, copper pipes, inflammable and toxic materials etc.)
- Quarries
- Construction site protection activities
- Protection of habitats
- Restoration of lands damaged by excavation
- Noise generated by the construction machinery
- Traffic Disruption

**During operation of the facilities:**

- Air pollution due to heating
- Solid wastes disposal
- Waste water disposal

15. The environmental mitigation and monitoring plans are attached below at Annexes 1 and 2. An example of a courthouse project design together with applications for permits is attached as Annex 3.

**D. Consultations**

16. During preparation of the project a series of discussions were held with the MOJ Department responsible for facilities management and construction, and with the Ministry of Environment Department of Environmental Expertise (MOE/DEE) to define and clarify the appropriate content of the Environmental Management Plan. The final draft EMP will be reviewed by MOJ and MOE/DEE and released to the public prior to appraisal.

17. Preparation of the Judicial Modernization Project has also included participatory assessments of current conditions and needs among actors and users of the justice system.
Discussions with judges, support staff and bailiffs have been held in courts in Baku, Sumgait, Davachi, Gusar and Barda. Project preparation has also benefited from preliminary consultations with community associations in Saatly, Yevlakh and Barda and with NGOs working in the sector. A summary of the main findings of consultations is provided in Annex 4 below.

E. Institutional Arrangements and Budget

18. The implementing agency under the project will be the Ministry of Justice (MOJ) through the Judicial Modernization Team (JMT) (recently established under MOJ Decree Dated February 4, 2006). The multi-disciplinary JMT will be supported through the provision of experts, training and logistics in accordance with fully integrated good practice PIU model of Bank projects. The MOJ is responsible for ensuring adequate budget and procurement of goods, works and services for implementation of the EMP mitigation and monitoring measures, and for supervision. Specifically, the MOJ Facilities Manager, a member of the JMT, will ensure that firms contracted to carry out works for all new construction and renovations of existing buildings obtain permits and clearances as required per Azerbaijan national regulations.

19. Budget for implementation and monitoring of the EMP is provided under Component One of the Project. Implementation of specific mitigation measures at the works contract level will be funded as part of works contract and implemented by the firm selected to perform the works.
### ENVIRONMENTAL MITIGATION PLAN

<table>
<thead>
<tr>
<th>Phase</th>
<th>Issue</th>
<th>Mitigating Measure¹</th>
<th>Cost</th>
<th>Institutional Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction-repairing works</td>
<td>Dust raised from the roads in the construction sites and from material carrying trucks</td>
<td>During the dry periods sprinkle the roads with water</td>
<td>Install n.a. Operate Minor and Covered by construction / renovation budget n.a.</td>
<td>Contractor</td>
</tr>
<tr>
<td></td>
<td>Cover the material transporting trucks</td>
<td>n.a.</td>
<td>Minor and Covered by construction / renovation budget</td>
<td>n.a. Contractor</td>
</tr>
<tr>
<td>Waste water from construction/renovation sites</td>
<td>Construction of latrines / septic tanks</td>
<td>Latrines / Septic tanks</td>
<td>Covered by construction / renovation budget</td>
<td>n.a. Contractor</td>
</tr>
<tr>
<td>Disposal of solid wastes</td>
<td>Collection at certain locations in construction/renovation sites</td>
<td>n.a.</td>
<td>Covered by construction / renovation budget</td>
<td>n.a. Contractor</td>
</tr>
</tbody>
</table>

¹ All mitigation measures should be in compliance with the following norms applicable to environment protection in Azerbaijan: Safety Regulations: BCH 8-89, BCH 89 Sanitary Norms SN 245-71 and SNIP.
<table>
<thead>
<tr>
<th><strong>Disposal to designated landfill areas of the municipalities</strong></th>
<th>n.a.</th>
<th>Covered by construction / renovation budget</th>
<th>n.a.</th>
<th>Contractor</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Use of materials that may damage health (i.e. heavy-metal (lead) containing paints, asbestos-cement tiles, pipes, copper pipes, inflammable and toxic materials etc.)</strong></td>
<td>Use of materials should be in accordance with sanitary norms of Azerbaijan Republic and be specified in bidding documents</td>
<td>n.a.</td>
<td>Covered by construction / renovation budget</td>
<td>n.a.</td>
</tr>
<tr>
<td><strong>Quarries</strong></td>
<td>Use of closest licensed quarry (if needed)</td>
<td>n.a.</td>
<td>Covered by construction / renovation budget</td>
<td>n.a.</td>
</tr>
<tr>
<td><strong>Construction site protection activities</strong></td>
<td>Surface and underground water intake well organized works; activities to prevent landslides. This activities should be specified in the bidding documentation</td>
<td>n.a.</td>
<td>Covered by construction / renovation budget</td>
<td>n.a.</td>
</tr>
<tr>
<td><strong>Protection of habitats</strong></td>
<td>Preserve the habitat, relocate the trees that can be transferred</td>
<td>n.a.</td>
<td>Covered by construction / renovation budget</td>
<td>n.a.</td>
</tr>
<tr>
<td>Description</td>
<td>Action</td>
<td>Cost</td>
<td>Responsible Party</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>Restoration of lands damaged by excavation</td>
<td>Storing the top soil and landscaping</td>
<td>n.a.</td>
<td>Contractor</td>
<td></td>
</tr>
<tr>
<td>Noise generated by the construction machinery</td>
<td>Compliance with the existing regulations</td>
<td>n.a.</td>
<td>Contractor</td>
<td></td>
</tr>
<tr>
<td>Traffic Disruption</td>
<td>Designation of traffic routes to avoid overloading of existing roads and placement of appropriate traffic signs</td>
<td>n.a.</td>
<td>Contractor</td>
<td></td>
</tr>
<tr>
<td>Air pollution due to heating</td>
<td>Use of natural gas for heating</td>
<td>Installation of heating equipment</td>
<td>MOJ</td>
<td></td>
</tr>
<tr>
<td>Operation</td>
<td>Regular collection of wastes by relevant local authorities</td>
<td>n.a.</td>
<td>MOJ</td>
<td></td>
</tr>
<tr>
<td>Waste water disposal</td>
<td>Connection to nearest sewage network or construction of latrines / septic tanks</td>
<td>Setting latrines / septic tanks</td>
<td>MOJ</td>
<td></td>
</tr>
</tbody>
</table>
## ENVIRONMENTAL MONITORING PLAN

<table>
<thead>
<tr>
<th>Phase</th>
<th>What parameter is to be monitored?</th>
<th>Where is the parameter to be monitored?</th>
<th>How is the parameter to be monitored/type of monitoring equipment?</th>
<th>When is the parameter to be monitored - frequency of measurement or continuous?</th>
<th>Why is the parameter to be monitored (optional)?</th>
<th>Cost</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction / Repairing Works</td>
<td>Dust</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring</td>
<td>Regularly through site visits</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td></td>
<td>PIU budget</td>
</tr>
<tr>
<td></td>
<td>Waste water from construction/renovation sites</td>
<td>At construction / renovation sites</td>
<td>Monitoring of appropriate installation and operation of latrines and septic tanks. Samples collected by monitors are to be analyzed in Public Health Laboratories.</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td></td>
<td>Covered by construction / renovation budget</td>
</tr>
<tr>
<td></td>
<td>Collection of solid wastes</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td></td>
<td>PIU construction specialist and monitors and Local Sanitary Specialist</td>
</tr>
<tr>
<td></td>
<td>Disposal of solid wastes</td>
<td>At the disposal sites</td>
<td>Visual monitoring</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td></td>
<td>PIU budget</td>
</tr>
</tbody>
</table>

PIU construction specialist and monitors and Local Environment Specialist
<table>
<thead>
<tr>
<th>Use of materials that may damage health (i.e. heavy-metal (lead) containing paints, asbestos-cement tiles, pipes, copper pipes, inflammable and toxic materials etc.)</th>
<th>At construction / renovation sites and through documentation</th>
<th>Visual monitoring, analysis of documentation</th>
<th>Monthly</th>
<th>In order to identify if the environment requirements are relevantly maintained</th>
<th>PIU budget</th>
<th>PIU construction specialist and monitors and Representative of Local Authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quarries</td>
<td>At the quarries</td>
<td>Visual monitoring</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
<td>PIU construction specialist and monitors and Local Environment Specialist</td>
</tr>
<tr>
<td>Construction site protection activities</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
<td>PIU construction specialist and monitors and Local Environment Specialist</td>
</tr>
<tr>
<td>Protection of habitats</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring</td>
<td>Monthly</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
<td>PIU construction specialist and monitors and Local Environment Specialist</td>
</tr>
<tr>
<td>Restoration of lands damaged by excavation</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring</td>
<td>At the completion of construction / renovation process</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
<td>PIU construction specialist and monitors and Local Environment Specialist</td>
</tr>
<tr>
<td>Noise</td>
<td>Near the settlements</td>
<td>Portable noise meters</td>
<td>Regularly through site visits</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
<td>PIU construction specialist and monitors and Local Sanitary Specialist</td>
</tr>
<tr>
<td>Operation</td>
<td>Traffic Disruption</td>
<td>At construction / renovation sites</td>
<td>Visual monitoring of a) use of designated routes and b) coverage of material transporting trucks.</td>
<td>Regularly through site visits</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>PIU budget</td>
</tr>
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</tr>
<tr>
<td>Air pollution due to heating</td>
<td></td>
<td>Air quality (SO₂ and particles)</td>
<td>Near the housing blocks</td>
<td>After completion of construction / renovation works</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>Budget of relevant authorities</td>
</tr>
<tr>
<td>Solid wastes disposal</td>
<td></td>
<td>At the disposal sites</td>
<td>Visual</td>
<td>After completion of construction / renovation works</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>Budget of relevant authorities</td>
</tr>
<tr>
<td>Waste water disposal</td>
<td></td>
<td>Water quality (visual; odor; bacterial; chemical)</td>
<td>In receiving water bodies at the upstream and downstream points from the discharge location</td>
<td>After completion of construction / renovation works</td>
<td>In order to identify if the environment requirements are relevantly maintained</td>
<td>Budget of relevant authorities</td>
</tr>
</tbody>
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ANNEX 3

MIA of the Azerbaijan Republic
Chief State Fire Safety Department
State Fire Control Division

OPINION

Regarding allocation of land plot ----to the Ministry of Justice

NTNS-112 21.08.2003

1) On the basis of the examination and measurements conducted on the area, intended for construction with participation of representative of the establishment, the land plot of 0.051 ha allocated for designing of the administrative building for Nizami District Court at the address: crossing of Nizami and Sh. Mirzayev streets, Nizami district, Baku city, Quarter 2543-44 is FIT on condition that:

- No area exceeding the allocated land plot will be seized and the land plot will be used for the intended purpose;
- A space for firefighting purposes between the buildings/installations will be ensured, access way for firefighting vehicles along perimeters of the designed administrative building and reserve water for extinguishing fire will be taken into account.

IT IS STRONGLY FORBIDDEN

to carry out construction works without a written consent of fire protection authorities regarding compliance of Investment Projects with requirements of Technical Norms and Rules against fire.

3) The Implementing Agency to be instructed that based on “Fire Safety Rules” FSR 05-86 of the Technical Norms and Rules on “Organization of Construction Activities”, when construction-assembly works are carried out, the Chief State Fire Safety Department shall be reported in writing one month prior to the commencement of construction-assembly works.

4) The opinion is valid for 2 (two) years.

Deputy Chief of the Department  

Y.Ø. Mahsimov
To: Mr. A. Abdullayev

Acting Chief Architect
Chief Architecture and Town Planning Department
Baku city Executive Authority

In response to your letter, dated 08.07.2003, 18/03-8/2027 the documents regarding the construction of an administrative building for Nizami District Court at the address: Nizami District, crossing of Nizami and Sh. Mirzayev streets, quarter 2543-44 have been considered at our department and in this connection we would like to note the following: The territory in the north is surrounded by Nasimi street, in the south by an individual house, in the west by Sh. Mirzayev street and in the east by green plantations.

The Absheron-Baku Regional Environment and Natural Resources Department coordinates the submitted documents on the following conditions:

- to ensure protection of the green plantations in the area;
- to strictly observe the provisions of the Law of the Azerbaijan Republic “About Environmental Protection” while construction works are carried out;
- after the construction works are finished to implement improvement works in the surrounding area, lay out a greenery and take care of it in accordance with land treatment rules.
- to submit the design documents to the Ecological Expertise Department of the Ministry of Environment and Natural Resources of the Azerbaijan Republic for obtaining ecological opinion.

Head of the Department: M.I. Aliyev
To: Baku City Chief Architecture and Town Planning Department

For information to: Mr. Ismaylov, Director, Nizami District Hygiene and Epidemiology Center

In response to your inquiry, dated 08.07.2003, #18/03-8/2027 Baku City Hygiene and Epidemiology Center submits the opinion, dated 29.08.2003, 13-30/118-25 regarding allocation of a land plot to the Ministry of Justice for construction of administrative building for Nizami district Court at the quarter 2543-44, at the territory of intersection of Nasimi and Sh. Mirzayev streets, Nizami district, Baku city.

Attachment: opinion dated 29.08.2003, #13-30/118-25- 1 copy

Chief State Sanitary Physician of Baku City  F. Z. Huseynov.

Responsible person: E. Mammadov

Tel. 21 17-41
Registration form #151

OPINION
issued for selection and allocation of land plot for construction of industrial enterprises, utility, hydro-technical and other facilities

# 13-30/118-25 August 29, 2003

1. Name of the establishment for which land plot is allocated and its superior body
to the Ministry of Justice of the Azerbaijan Republic

_________________________________________________________________

Administrative building of Nizami District Court

2. Address of the land plot Nizami District, quarter 2543-44, crossing of Nasimi and Sh. Mirzayev streets

3. Sanitary classification and protection zone of the production (in conformity with the SN 245-71)

4. Possible impact of the establishment to be constructed on the environment and the living conditions of the population

5. Name of the design organization conducting investigation On contract basis

6. Data of the conducted investigation

7. Examination of the area was conducted (yes, no) yes
   at the spot yes by a commission _____________
   in the person of representatives officer of Nizami District Court

   sanitary control bodies Baku city Hygiene and Epidemiology Center

   what documents were presented during the examination of the area

   1. Main parameters of the area; 2. Extract from 1:2000 scale map

   To mention the documents on the basis of which the opinion was issued, if no on-site examination was conducted

8. Sanitary characteristics of the land plot (territory)
   a) area 0.051 ha
   b) Previous use of the land plot was not used
   c) location of the territory in relation to the surrounding territory and the buildings at the territory: In the north the land plot is surrounded by Nasimi street, in the east by green plantations, in the south by private house, in the west by Sh. Mirzayev street.
   d) Possibility of creation of a protection zone between industrial enterprises and residential areas
   e) Industrial enterprises located at the territory where construction works will be carried out and their sanitary classification in accordance with SN # 245-71

f) prevailing winds north-west, south-east
c) structure of the soil strata, level of underground waters, existence of swamps, green plantations  Radiological background of the area is normal and constitutes 8-9 mkR/hour.

h) Possibility of creation of water supply sources, sanitary protection zone  to the city network, possible

i) Possibility of connecting the establishment to sewage system  possible

j) The place where the sewage waters will be flown to  (correspondence to the SN # 245-71 and possibility of negative impact on water supply)  

k) Availability of extra land plot for future expansion of the establishment

l) Existence of motor-road (local, state roads)  Sh. Mirzayev and Nasimi streets

OPINION

Baku city, Nizami district, quarter 2543-44, crossing of Nasimi and Sh. Mirzayev streets

Address

From sanitary-hygienic point of view the land plot:

a) is fit for construction  of the administrative building of Nizami District Court of the Ministry of Justice of the Azerbaijan Republic  

name of the establishment

b) Conditionally fit (to note necessary measures to render the area healthy)

1). To conduct the design work in conformity with the Technical Norms and Rules of AzDTN # 2.6-1 and 2.08.02-89
2. During the design works to observe the necessary sanitary-protection zone of the neighboring private buildings and measures for protection of the environment.
3. To ensure that the design documents are coordinated with Baku City Hygiene and Epidemiology Center.
4. One month prior to commencement of construction works the State Sanitary Service authorities shall be informed.

c) not fit (to substantiate)

Period of validity of the opinion:  
Till August 29, 2005.

F.Z. Huseynov
Director,
Baku City Hygiene and Epidemiology Center

Note: The opinion is submitted:
   a) to Baku city EA MSBI
   b) Hygiene and Epidemiology Center of Nizami district

Responsible person: E.Mammadov
Tel.21-17-41
IIK Engineering Survey Company

Engineering Survey Report

License # 000932
Registration #: LA-08-027 08.05.2003

Customer: Azeremmaryaradijilig Company

Report on engineering-geological survey of the administrative building of Nizami district Court, Baku.

Responsible for implementation: Engineering Survey Company
T.U. Baghirov

Baku 2003
Contents:

1. Introduction
2. Climate
3. Geomorphological conditions
4. Lithologic particles of the ground
5. Physical mechanical particles of the ground
6. Recommendations and conclusion

Annexes
1. Lithological cut of ground at the site
2. Table of chemical and physical tests of soil
3. Site layout
4. Site layout
Introduction

The Engineering Survey Company carried out the geological survey of the Civil Registrar office and the Notary Office of the Garadagh rayon, Lokbatan settlement.

4 wells were drilled at the construction site to identify geological structure, hydrogeological conditions and hardness of the ground. The depth of each well is 10 meters. The wells were drilled using mechanical rotation method, with 168 mm diameter VQB50m equipment. Subject to preservation of natural structures sampling of the ground was taken and tested at the laboratory.
BAKU CITY EXECUTIVE AUTHORITY

MAIN DEPARTMENT ON ARCHITECTURE AND URBAN PLANNING

#11434

CONSTRUCTION PASSPORT
On allocation of land

Customer: Ministry of Justice of the Republic of Azerbaijan
Assignment: Administrative building of Nizami district Court
Rayon: Nizami
Residential area: 254344
Street: at the Intersection of Nasimi and S. Mirzoyev Streets
Case #03/316

Senior Architect: A.Abdullayev
Senior specialist: S.Mammadzadeh

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Agreements and technical conditions

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Architect
L. VELIYEVA
COMMUNITY CONSULTATIONS

Preparation of the Judicial Modernization Project has included participatory assessments of current conditions and needs among actors and users of the justice system. Discussions with judges, support staff and bailiffs have been held in courts in Baku, Sumgait, Davachi, Gusar and Barda. Project preparation has also benefited from preliminary consultations with community associations in Saatly, Yevlakh and Barda and with NGOs working in the sector. A summary of the main findings of the community consultations is provided below.

The communities were identified in collaboration with the Rural Investment Project (AZRIP), which has successfully mobilized a number of rural communities to identify local development needs, set priorities, and begin implementation of targeted development programs. The communities consulted ranged from having very limited experience to having some capacity based on training workshops and program implementation. The groups consulted included women, ethnic minorities and IDPs, and individuals with a variety of occupations and educational levels, within a range of very low to medium incomes.

The communities were informed about the goals of the proposed Judicial Modernization Project and the key activities to be supported under the 4 components of the Project. Discussion then covered i) General needs and priorities identified by the communities for improving local resources and quality of life; ii) Legal Protection: community experiences with dispute resolution through both formal and informal mechanisms; iii) Legal Awareness: the specific needs of the communities in terms of access to information about legal rights, judicial services and how to pursue legal remedies; and iii) Accountability and Enforcement: community experiences with the effectiveness of available dispute resolution channels and other legal remedies. Descriptions of the communities and findings of the consultations are summarized below.

- Shirinbey Community Association, Saatly. 14 participants (10 men, 4 women), elected by the community. With a population of 4,100, Shirinbey is largely composed of the minority Meskhetian Turk ethnicity. Located 30 km from the nearest courthouse or lawyer’s office.

- Karvan Regional Handicraft Association, IDP Settlement Camp #1, Saatly. 12 participants (12 women). The Association provides income generating opportunities for women across 6 rayons, including the regions most affected by the conflict with Armenia. The women consulted at this location have been living at the camp in a semi-permanent state with about 50 other family groups for 12 years since the end of the conflict.
• Salahle Community Association, Yevlax. 16 participants (3 women, 13 men), elected by the community. A 3,000-member community largely composed of majority ethnic Azeri inhabitants, of which approximately ten percent are IDPs.

Visits were also made to two community information centers, one administered by the Ministry of Justice in Bardar, the other by an NGO in Saatly, to gauge the access to, uses of, and needs for legal and judicial information among local communities. And visits were made to two NGO’s working in the sector, The Public Association on Human Rights Education and the Independent Law Center, to assess activity and needs in the sector.

The consultations found that a profound lack of awareness and information about legal rights and mechanisms for dispute resolution has resulted in a perception of the judicial system as remote and inaccessible. Participants reported resorting to petitioning local officials (police, balladiya head, Excom) and even the President's office to mediate or resolve disputes. In rural areas this includes respected members of the community such as village elders (aksakal), heads of kin, teachers, etc.

Participants identified the need for information about how to take a claim to court, obtain the services of a lawyer, and the associated costs. In most cases the community's distance from the nearest courthouse or law office adds an additional obstacle that significantly discourages individuals from seeking legal protections. Particular needs were identified in relation to labor rights (protection or redress from unfair dismissal, for e.g.), family law (child support and maintenance payments for e.g.), land registration, contract law (for e.g. to assist the communities in implementing their development projects), women’s rights, information about the recently established Ombudsman Offices, entitlement to pensions, social support services, etc., and improving notary services (or providing them where none exist). There was a strong feeling that the interests of small businesses and farmers were at a great disadvantage due to the lack of awareness about how to protect their rights.

Participants expressed awareness that there has been substantial change in laws and governance during the transition since independence, and frustration about the limited knowledge that they have about new laws and rights, or the functioning of the courts under the new system. A certain nostalgia for the tutelary assistance provided by the courts under the soviet regime was expressed, and a desire for the opportunity to gain legal advice and information presently lacking under the current system. All expressed the wish for a court facility and legal information center to be located within reach of their community.

Given the traditional role played by community leaders in dispute resolution, mediation is by default the most effective mode for dispute resolution at present. However the mediation service provided is often informal and its quality highly uneven. For example women have limited access to existing mediation services (which tend to be dominated by men), and vulnerable groups (eg. IDPs) are often dissuaded from making claims
against local influential persons. Participants suggested that training in mediation for community leaders, in addition to providing information for all about legal rights could bring substantial benefits to the community by strengthening existing dispute resolution channels.

Based on these initial findings and the analysis provided by studies and reports by CoE, ABA/CEELI, USAID, CEPEJ, and BEEPS, the Project will support the development of a Citizen Awareness Strategy and the design and implementation of a Citizen Awareness Program. A participatory needs assessment will be carried out during the first six months of the project to identify the legal and judicial information needs of the population, including the specific needs of target and vulnerable groups (e.g. IDPs, women, low income families, youth, small businesses and farmers, etc.) to address current information and access gaps. Participatory consultations will be carried out during the life of the Project to monitor results of project activities and make adjustments where needed.
A consultation was held in Baku with NGOs to discuss the draft Environmental Management Plan, and inform them of the other project activities. Draft EMP was provided to the participants at the meeting. Earlier project information consultations have included meetings in Saatly, Barda, Yevlakh, Sumgait, Davachi, and Gusar.

Participants in the consultation included: Elchin Sardarov, Director, SANIIYA Social Ecological Agency; Mahmudov Kamran, President, Environmental Research Center; Alekber Agasiyev, Legal Consultant, Independent Consumers’ Union (ICU), Arzu Mustafayev, Director, “Sulkh” Humanitarian Organization; Elchin Sultanov, Chairman, Azerbaijan Ornithological Society. Serdan Huseynov, M&E Specialist of the AzRIP Project also attended to provide information and support.

Participants noted that EMP requirements for construction safeguards are standard practice in Azerbaijan, and are provided for under Azeri norms and procedures. They suggested accessibility of citizens especially disadvantaged groups would benefit with the project investments and care should be taken in introducing new and modern standards such as disabled access, and security. New facilities are expected to dignify premises and citizen accessibility. Participants noted that the environmental impacts of construction envisaged in urban areas would be minor, and highlighted the need for additional and modern facilities in rural areas.

Participants expressed interest in benefiting from the projects different activities, especially citizen information programs and expressed interest to be engaged in outreach and other programs.

Meeting was informed that EMP will be available on the internet for further information.