

**Comments of Azerbaijan NGOs
to the EBRD & IFC public disclosure and consultation period on
Azerbaijan-Georgia-Turkey pipelines system**

Sent to EBRD & IFC, October 2003

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Parts typed by *italic* are notes of translator
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Comments on BTC & ACG

Jeyran Bayramova, Institute of Peace and Democracy (NGO)

1. Why the number of projects to monitor the construction works progress is not carried out regarding to already begun construction of the pipeline. It would be expedient to establish few monitoring groups, independent one from each other.
2. So far, the public was in the state of unknowing about ESIA documentation, because of not publishing the brochures in accessible language (Azeri and Russian).
3. Which party will carry out the program of utilization and rehabilitation of the soil (in the territory, which the pipeline goes through, well productive soil occurs).

All the above mentioned comments point at not maintenance of such transparency, what BTC documentation is based on.

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Comments on BTC & ACG

Hasan Hasanov (ODER, NGO)

(General comments)

1. There are too many documents to familiarize with them in 120 days period.
2. Documents are put together by such manner that only experts can examine, if they were compiled in accessible form.
3. The documents in Azerbaijan were present at two places, while at 6 places in Georgia and in 6 in Turkey in the same time.

ESIA BTC Co. – Azeri part, supplement “technical part”, May 2002. Plan of work organization in the area of cultural heritage preservation in Azerbaijan, REV-1

Point 1.7. – The independent expert on archeology and ethnography is necessary, proposed from the side of NGOs, who has and experience with the work on excavations in different regions. He takes the responsibility on himself for the case of discovering historical and cultural heritage. The BP Co. takes on itself the safety technology policy fulfillment. Payment of the work (*could be provided*) from the side of EBRD (monitoring program).

Supplementary lenders’ information package:

BTC project and IFC safeguard policies OP 4.04. Natural Habitats and OPN 11.03 Cultural Property (version 2)

Allocation of the sources for cultural heritage preservation causes bewilderment. The budget for Azeri part reaches 217.000 USD while this amount for Georgia is four times higher. Therefore, BP didn’t familiarize itself enough with cultural heritage of Azerbaijan, providing too reduced sum for Azerbaijan cultural heritage preservation.

(He recommends to BP to pay attention to following places):

1. Gobustan
2. Borsunlu (Bronze Age)
3. Zeyam Çay
4. Girag Salaxi
5. Qazi-Magommed

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Comments on BTC

Farida Huseynova (Azerbaijan Green Movement, NGO)

1. To which measure the conditions of BTC ESIA are realized within the pipeline construction? Who is watching their implementation?
2. Why the BTC construction already begun and even in the problematical sites before the final decision on its financing?
3. BP and EBRD declare preservation of cultural heritage in the territories, where they implement the project. But the archeological sites, discovered during BTC routing studies, in Kürdamir, Hajiqabul and other regions, would be destroyed within present construction, and some of them are destroyed already. They are not able for removal, but BTC and BP co-workers decided they are not significant enough to change the pipeline route.

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Comments on BTC & ACG

Shola Mahmudova (NGO)

It is necessary to organize the educational seminars along the BTC pipeline route.

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Comments on BTC & ACG

Professor Ch. S. Aliyev, Geological Institute, Laboratory of Radiometry

Comments to the answers of commentary
ESIA of BTC pipeline Azerbaijan, supplement

We familiarized ourselves with “Answers to the Comments: Maintenance of the Project”, Chapter 5, Point 5.3.2. “Radioactive Sediment” (NORM)

You answered only part of the question raised by me within the meeting with the public.

We agree with you in the issue of radioactive sediments accumulation in the pipeline, as the crude oil going through the BTC line has include less then 0,3% of water.

In this case, the speech goes about study of radioactive background along the BTC pipeline route.

Radiometric methodology enables to mark out geo-dynamic active zones in the Earth’s crust. Usually, in the zones of unstable geo-dynamics happen irregular changes of geophysical fields (seismic, gravitational, electric etc.), which besides of the stretching state of the pipes initiate the corrosion processes. It is known that majority of accidents on the pipelines happen in such geo-dynamically unstable zones. In gamma-field, these sites distinctly stand out with their zones of higher radioactivity.

That is why we insist on necessary radiometry researches in the entire BTC oil pipeline route with the objective of revealing the geo-dynamically active zones and preventing the terrorist acts.

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Comments on BTC & ACG

Ecological Innovative Center (Niyazi Aliyev, NGO)

5.2.5. Infrastructure and services

In the field of guarantee of the water supply and sewerage waters management, Ecological Innovative Center submitted the project to BTC Co. (17. 1. 03). This

project was approved, but so far was not financed to let us start to implement our work.

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Comments on BTC & ACG

Fikret Jafarov (*System Development Association, NGO*)

BTC ESIA, chapter Waste Management

It is necessary to include the issue of all oil pipeline infrastructure dismantling after expiration of exploitation period. Divide the necessary costs for these works implementation and include these expenditures into shares of all participants of pipeline consortium.

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Comments on BTC & ACG

Eldar Ibrahimov (*Society and Law, NGO*)

BTC ESIA, May 2002, point 6.1.3.1

In the same part of BTC ESIA on Georgian part, as the legal basis of the project were considered at least more than two dozens of country's laws. In Azeri part, ESIA is based only on two legal acts and one procedure.

In the field of protection of environment in Azerbaijan was accepted much more laws, which were not taken into account or were simply ignored by incomprehensible reasons within BTC ESIA process. In regards to these circumstances, I consider the BTC ESIA documentation as prepared unprofessionally.

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Comments on BTC & ACG

Galina Kozlova, EcoGraph

Supplementary Lenders Information Package – Part A

Table 2: Overview of the Standards on the Air Quality

1. The indicators of CO₂ are missing.
2. Right is to show the average daily and maximal one-time indicators, and not the daily ones.

Comments on the process of 120 days consultations required by IFC

1. NGOs were badly informed about beginning and points, where the folders with documentation are accessible.
2. In Baku Enterprise Center, the documentation was available from the beginning only in hard copies and only on Azeri part of the project.
3. The staff was not instructed how to operate really fast growing ESIA library and the center as well. There was no catalogue of the books. Not all disclosed books were available till the end of period.
4. Thanks to the staff of The Enterprise Center of mutual understanding and cooperation.

Recommendations:

1. To make available computer in Baku Enterprise Center and other points, where the ESIA informations were kept (because of bad access to the web site).
2. Establish a CD ROM library of ESIA and SLIP.

Comments on Public disclosure and consultation on ACG 1 project, 2003

Point 3.1., page 2

I think that within AGT Phase 1 ESIA process was not ensured the access of the population to the information on consultation process in hard copies.

It was indirectly confirmed by the fact that at the meeting in Baku at 4th September was not asked any question on ACG. If the question was not asked, it means that people have not any information.

Point 3.2., page 9

- 1) There was information in local languages (Azeri and Russian) posted on the site caspiandevlopmentandexport.com with delay and even on 6. 10. 2003 (in the moment of finishing the process of consultation regarding the IFIs requirement) there is no list of statements, materials.
- 2) There is not full documentation in hard copies on ACG (including ACG ESIA) in Baku Enterprise Center, as well as the information in three languages.

Point 3.2., page 9

From the side of the project's sponsors was not provided regular dissemination of the information on ACG Phase 1.

Point 3.5., page 12

In violation of “Guide to ESIA procedure in Azerbaijan”, 1996, the expert report on environmental analysis was not disclosed to the public.

Point 3.5., page 12

The public participation in ESIA process was very poor. There were no public forums on determination of technical aspects, there were no television discussions in direct transmission, discussions of the issues on radio.

Point 5.2., page 20

There is published the outdated information in the documents

- 1) In 2002, ISAR Azerbaijan started to finish its activities.
- 2) Database of ISAR from 2002 consists of 350 NGOs. From them, number of environmental ones doesn't exceed 50 – 70.
- 3) Because ISAR Azerbaijan finished its work, nobody supports the cooperation between NGOs and business sector any more.

Page 22

There is the outdated information from 1998 in the documents – about the interest of international NGOs in ACG ESIA process.

Besides that, Business Development Program was provided not only by ISAR, but also with financial support of International Alert.

Page 24

Regardless of the fact of utilization of still the same translators, it is necessary to mention that some pressure on them is notable from the side of BP. I am sorry – the impact – they didn't fully translate the questions, inconvenient for BP.

Page 25

The only one facilitator within all the public hearings was Faig Askerov, whose is not possible to consider as independent and convenient for the participants. He is highly posted external worker of BP and especially in the last time he often cuts short the speakers.

It is necessary to finance the activity of NGOs on education the population regarding the rules of the participation in public hearings, manner of public participation and asking the appropriate and relevant questions. Rising of this issue should be financed by BP, government, banks and third parties.

BP company cruelly abuses the leading intelligence (which is usually Russian speaking) weak Azeri language knowledge. From the other hand, the low level of

public activity is connected with the hard social conditions. I am coming to the conclusion that ACG Phase 1 ESIA process ran over unnoticed.

Page 26

During the certain time, BP representatives invited NGO representatives to the public meetings, utilizing the independent electronic mailing of EIAN (Environmental Information Azerbaijan Network). I didn't find reflection of this fact in ESIA of ACG Phase 1.

Meanwhile, BP co-workers themselves appreciated the help of mailing, as the competent NGOs interested in ESIA process, experts and journalists obtained the invitations.

Since April 2003, the mailing interrupted its regular updates. Anyway it is in interests of company as well as NGOs.

After my opinion, the necessity to establish the center appeared, where the NGOs could use the computer with internet – this is a work for the group working on organization of consultations on BTC/ACG ESIA, as well as SCP/SDH ESIA.

That is why I consider the library of NGOs establishment as necessary, as well as deliverance of identical documentation into Aarhus Center, and establishing of BP library, where the documents of BP could be kept – books, brochures, CD, video etc.

Page 29,

Table 5.5.. Reports Disclosure

In PCDP Documents are used outdated information. NGO library doesn't exist.

- a) ISAR – liquidated
- b) OSI – AF – there never was a library, all the folders were carried away by coming people and nothing remained
- c) Ecoclub – lost its space

It is very difficult to obtain the respective information in the Akhundov Public Library. At first, it is unknown in which of six halls to find the ESIA documents. Second, it is unknown for common visitor, which person is responsible to answer the questions about keeping and access to this information.

In comparison with that, BP business center and EBRD are significant winners.

I don't know how the Azerbaijan people could familiarize themselves with ESIA documents during last six years in reception of BP's Villa Petrolea. This year, I first time checked this opportunity and have to say now I understand, why there is so few comments on ACG Phase 1. It is uncomfortable to sit and concentrate when there are so many people passing by, friends and colleagues among them.

Page 31

Unfortunately, Azeri NGOs are untold, civic society is not developed and international NGOs pay much more attention to the pipeline than to ACG.

4 ESIA's prepared in the same time on ACG and Shah Deniz, proceeded not enough intelligible for NGOs and of course also for all public.

I think that IFIs should support the NGOs development in the republic, focused on ESIA process monitoring, ESIA – Center. It is quite possible, with the support of international experts and NGOs experience, to work out.