



GRATA
INTERNATIONAL

ENVIRONMENT LAW

Environmental issues are paramount for every country. Consequently, all countries have introduced legal environmental requirements which all businesses must follow. This mainly includes permits, the lack of which can make it impossible to perform certain activities (environmental permits, state environmental expertise reports, and a number of other types of permits). Besides, depending on the type of activities and the environmental impact they create, bans and obligations aimed at mitigation of environmental risks are provided for businesses. Violation of bans and failure to perform obligations entail liability, which is often very severe and can lead to serious losses for businesses.

Violations of environmental requirements by companies generally result in legal proceedings. At the same time, circumstances relevant to each particular case may depend on various factors: type of activity and equipment used equipment requirements, guidelines used to calculate environmental emissions, obtaining other data relevant to the case, etc.



In this regard, companies need to constantly ensure compliance with the environmental requirements applicable to their activities. In addition, companies need prompt and effective arrangement of their rights protection: identification of legal risks associated with environmental protection and their elimination or mitigation before state inspections; preparation for inspections for compliance with environmental legislation; effective protection of their rights during inspections and in the settlement of subsequent disputes, and the application of liability.

The important point is consideration of the environmental requirements when making transactions, for instance, when acquiring lands, enterprises, shares or interest in legal entities, subsoil use rights, as well as concluding agreements with contractors related to the works that affect the environment.



Our lawyers provide full legal support at all stages of the project lifecycle, including:



Advising on environmental protection laws

Advising on the statutory requirements for state environmental monitoring

Representing companies in the course of settlement of environmental disputes

Due diligence of a company in order to prepare for an inspection within the state environmental monitoring

Advising on issues related to the liability for violations of environmental requirements

Assessing the chances of settlement of environmental disputes

Due diligence during the acquisition of facilities (interests, enterprises, lands, etc.) to identify legal risks associated with violation of environmental requirements



Experience

- Providing legal advice to the Bank of America on damage during the environment pollution and the types of liabilities arising from this damage;
- Advising Total S.A. as to implementation of employee share schemes in Azerbaijan;
- Advising a European oil company on acquisition of a participation interest under the Agreement "On the Exploration, Development and Production Sharing for the block including the Padar Area and the adjacent prospective structures in the Azerbaijan Republic". Conducting due diligence and preparing legal opinion, advising on financing, employment, environment, licenses/permits, antitrust, security, SOCAR consent, legal/practical risks, tax, foreign exchange, drafting documentation, writing formal requests, issuing legal memos and formal legal opinion etc.;
- Providing legal advice to drilling waste management company (AA Services) as to negotiations of Waste Management Contract with BP Azerbaijan;
- Representation of the client's interests during inspections by authorised state bodies, appealing their decisions and actions, including on the issues of prosecution for violation of the legislation governing waste management and disposal;
- Environmental due diligence: verification and development of local documents (instructions for the management of production waste; orders on the appointment of officials (authorised) persons responsible for the management of production waste; documents confirming the accounting of production waste) analysis of the enterprise in order to identify risks associated with violations of legislation, including issues of emissions of pollutants into the environment;
- Legal advising on the statutory requirements for obtaining permits from state bodies (permits for storage and disposal of industrial waste, integrated environmental permits, etc.);
- Representation of the client's interests in the process of passing the environmental impact assessment during the commissioning of construction projects;
- Development of legislative acts, bylaws on strategic environmental assessment and environmental impact assessment;
- Preparation of reviews on environmental legislation of the Republic of Kazakhstan;
- Development of standards and/or methods and/or reference materials in the area of environmental legislation;
- Protection of interests of an oil company in the courts on issues related to compensation for damage caused to the environment by illegal emissions;
- Successful protection of interests of a trade company in the courts on issues related to phytosanitary requirements to packages of goods;
- Successful protection of interests of a Kazakh company in the courts on issues related to payment for the disposal of waste in the environment;
- Protection of interests of a Kazakh service company in courts on a case related to an environmental permit;
- Due diligence of a cigarette production company for compliance with the legislation on industrial safety and protection of the environment;
- Advising a foreign company on legal requirements to burning of associated and natural gas in electricity production;



Experience

- Drafting memorandum on the terms and condition of obtaining quota for greenhouse gases emissions for a power station;
- Due diligence of a Kazakh company plant on the availability of all licenses and permits for a thermal power plant and compliance of the plant with Kazakh environmental legislation;
- Preparation of a comprehensive legal opinion on risk assessment in the field of waste management;
- Successful representation of interests of an oil company against a claim connected with loss of associated gas;
- Representation of the interests of a major natural monopoly entity regarding fines and claims for compensation for environmental damage caused by emissions of pollutants into the environment;
- Advising AAEngineering on doing business in Kyrgyzstan, preparing a complex memorandum on general and specific issues of corporate law, customs law, labour law, tax law, environmental protection, construction standards, etc.;
- Advising European Bank for Reconstruction and Development on financing of a company providing water supply and waste water management services to residents of the city of Kant in Kyrgyzstan with a view to modernise the water and sewage network in the city;
- Advising the client on getting approval on the detailed environmental impact assessment report;
- Advising the client on getting toxic chemicals storage room permit for heavy mining equipment maintenance service provider;
- Advising the client on environmental obligations of the toxic chemicals user;
- Advising a leading Japanese natural resources company on obtaining licenses for geological exploration and mining, the process of obtaining the authorized body's statement on Environmental Impact Assessment;
- Conducting due diligence for a leading Russian public petroleum corporation in the process of preparation for acquisition of a tyre plant, advising on potential environmental risks based on the authorised body's statement on Environmental Impact Assessment;
- Advising a leading French uranium company on subsoil, licensing, environmental protection, tax, commercial, corporate laws of the Republic of Uzbekistan in connection with establishment of a Joint Venture with the Government of Uzbekistan for exploration and development of uranium deposits;
- Advising a leading European NYSE-listed petroleum corporation on subsoil, environmental, health and safety, licensing in connection with a potential hydrocarbon exploration and development project with the State;
- Advising a foreign investor on the regulation of alternative energy sources, applicable environmental laws and regulations in connection with construction of three solar power stations;



Experience

- Legal consulting of a large industrial enterprise in the framework of due diligence on the risks associated with the possible impact of emissions;
- Legal analysis for a large agro-industrial holding with foreign capital on the issue of definitions of options for cutting field-protective forest plantations to implement the project for the creation of an irrigation system;
- Protecting client's interests in a dispute with the Federal Supervisory Natural Resources Management Service on additional penalties for negative environmental impact.

Key Contacts



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About GRATA International

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe: full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects. Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients. Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries. If necessary, inter-office teams with relevant experience are assembled to provide solutions to complex tasks. Service quality is assured by a clear system of organisation of this process.

GRATA International is present in the following jurisdictions: Azerbaijan (Baku), Armenia (Yerevan), Belarus (Minsk), Georgia (Tbilisi), Cyprus (Limassol), Kazakhstan (Aktau, Almaty, Astana, Atyrau, and other cities), Kyrgyz Republic (Bishkek), Moldova (Chisinau), Mongolia (Ulaanbaatar), Russia (Moscow, St. Petersburg, Rostov-on-Don, Samara), Tajikistan (Dushanbe), Turkey (Istanbul), Ukraine (Kyiv) and Uzbekistan (Tashkent).

In addition to its offices, GRATA International has representatives in China (Beijing, Hong Kong), Germany (Frankfurt), the Malaysia (Kuala Lumpur) Russia (Kazan), Switzerland (Zurich), Turkmenistan (Ashgabat), UAE (Dubai), the UK (London), USA (New York).

GRATA International is regularly acclaimed by leading international rankings: Chambers Global, Chambers Asia-Pacific, Legal 500, IFLR1000, WWL, Asialaw Profiles, and is featured in Deals of the Year Awards by China Business Law Journal.

Key Industry Sectors:

- Banking & Finance
- Construction & Infrastructure
- Industry & Trade
- Mining
- Oil & Gas
- Pharmaceuticals & Healthcare
- Technology, Media & Telecommunications
- Transport



250+
professionals



22
countries of presence

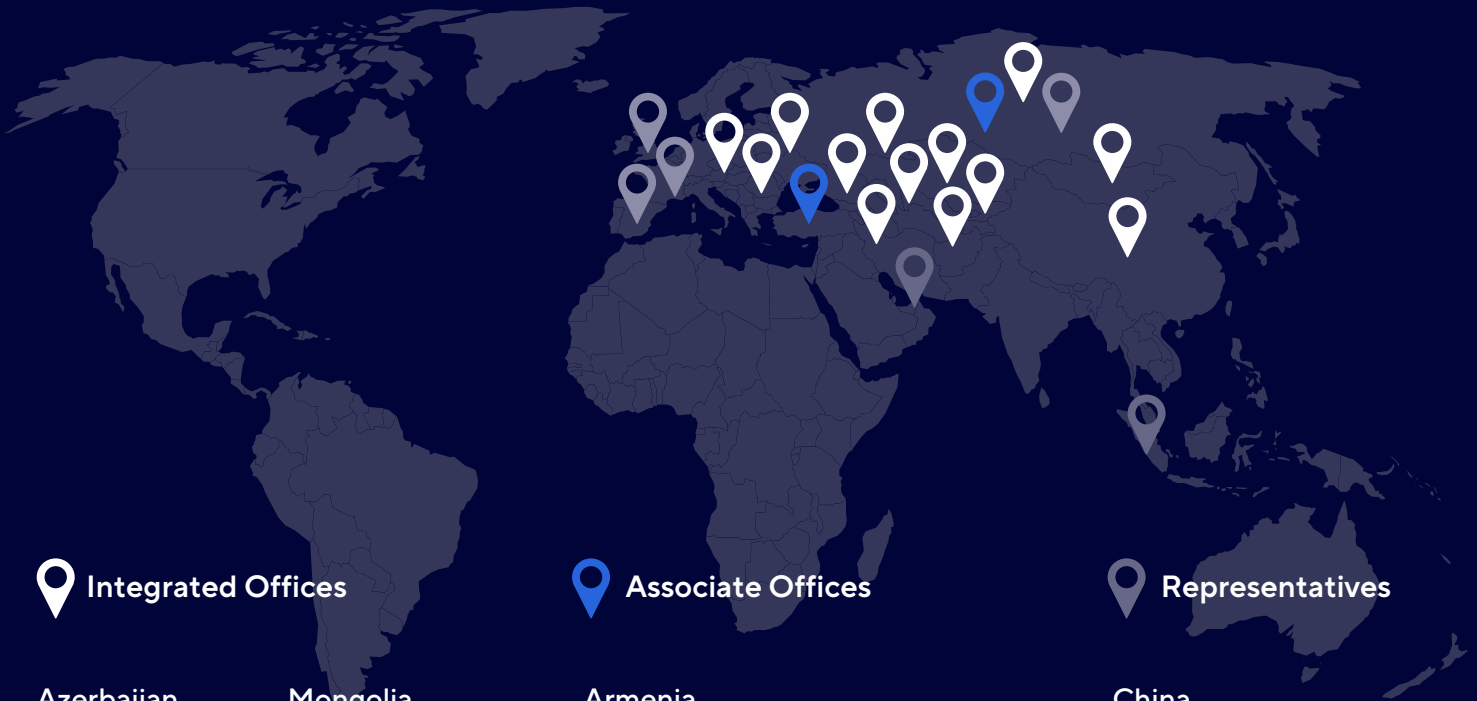


6000+
clients



11000+
projects

Global Presence



Integrated Offices

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Aktau
Almaty
Astana
Atyrau, etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Mongolia
Ulaanbaatar

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Ukraine
Kyiv

Uzbekistan
Tashkent

Associate Offices

Armenia
Yerevan

Cyprus
Limassol

Russia
Samara

Turkey
Istanbul

Representatives

China
Hong Kong
Beijing

Germany
Frankfurt

Malaysia
Kuala Lumpur

Switzerland
Zurich

Turkmenistan
Ashgabat

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