

The law of Turkmenistan on the conservation of nature

this law determines the legal, economic and organizational framework for the conservation of nature and is aimed at ensuring environmental security, and preventing harmful impact of business and other activities on the environment, the conservation of biological diversity and the sustainable use of natural resources.

(Chapter 1 General Provisions)

Article 1. The basic concepts that are used in the present Law)

: In the present Law uses the following basic concepts

((1) natural objects - the land, the soil, the subsoil, water, forests, vegetation and wildlife, environmental systems, atmospheric air, climate, and Earth's ozone layer, to ensure that the favorable conditions for existence of life on Earth.

(2) Environment - a collection natural objects in their interactions.

3) biological diversity - a collection plant, animal and other organisms that are specific to a certain territory.

4) environmental system - objectively existing and the prevailing part of the natural environment, which is spatially-territorial boundaries and in which living and non-living elements interact as a single functional unit.

((5) natural complex - the complex functionally and naturally related to between a natural objects, united geographical, environmental and other relevant characteristics.

6) natural landscape - a territory, which is not subjected to change as a result of the economic and other activities, and is characterized by a combination of certain types of terrain, soil, vegetation, formed a single climatic conditions.

((7) the protection of nature - the activities of the public authorities and the office, bodies of local self-government, public associations, legal and physical persons, aimed at the preservation and the restoration natural environment, managing natural resources, to prevent the negative impact of business and other activities on the environment and the elimination of its consequences.

8) the quality of the environment - the state of the environment, which is characterized by a physical, chemical, biological and other indicators and (or) them all.

9) enabling environment - the environment, status of the objects which ensures environmental safety and health, the prevention of pollution, the sustainable functioning of the environmental systems, reproduction and rational use of natural resources.

(10) The authorized body of the state administration in the field of nature conservation, the central body of state administration of Turkmenistan, in carrying out the public policies in the field of conservation and environmental management.

((11) natural resources - components natural environment, natural objects, which are used or may be used in the implementation of the business and other activities to meet the material, cultural and other needs of society; i

12) environmental management - a collection processes involving the public consumption of natural resources with a view to the creation of wealth and services

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- legal or natural person, exercising natural resources use and (or) emissions and discharges pollutants to the environment;

(14) the use of natural resources and exploitation of natural resources, their involvement in the invention, including all types of impact on them in the business and other activities;

(15) pollution of the environment - the environment polluting substances, hazardous chemical and biological substances, radioactive materials, wastes, as well as the impact on the environment noise, vibration, magnetic fields, infrared radiation and other harmful physical effects.

16) contaminant is a substance or mixture substances, the number of and (or) a concentration which exceed the standards for chemical substances, including radioactive and other substances, and have a negative impact on the environment; (17

) The ecological rationing - the system of rules, norms, containing quantitative and qualitative indicators for assessment of the state of the environment and standards acceptable exposure to it;

(18) the evaluation of the impact on the environment - a type of activities to identify, integrate and analyze direct, indirect and other effects of the environmental impact of the proposed business and other activities with a view to the adoption of the decision on the possibility or impossibility of implementation;

(19) waste is not suitable for the production of a particular product substances (types of raw materials), to be further disposal or placement, of which learned useful properties;

(20) waste production and consumption - The remaining raw materials, materials, semi-finished products, other products or products that have emerged in the process of production and consumption, as well as goods (products), lost their consumer properties; industrial fields, infrared radiation and other harmful physical effects.

(21) household waste - wastes generated from human life;

(22) hazardous waste - waste, the existence of which and (or) the treatment which constitutes a danger to their life, human health and the natural environment;

(23) The public monitoring of the environment - an integrated system monitoring the environment, assessment and forecast changes its status under the effects of natural and man-made factors; 24

) the control in the field of nature conservation - the system measures, aimed at the prevention, detection and suppression of breaches of the legislation of Turkmenistan in the area of the environment, to ensure compliance with subjects of economic and other activities environmental requirements;

25) environmental requirements - requirements to the business and other activities required for the execution of requirements, constraints and (or) prohibitions, established by normative legal acts of Turkmenistan in the field for nature conservation;

26) environmental audit - An independent assessment of compliance with the subject business and other activities of regulatory legal acts of Turkmenistan in the field of conservation and preparation of recommendations in the area of environmental activities;

27) environmental security - the condition of the environment, life and health of the citizens of the possible harmful effects of business and other activities, natural and technogenic emergencies and;

28) emissions - emissions in atmospheric air harmful to human health and the environment substances in the exhaust gases, particulate and пылеобразными particles and other types of waste, clipped in the natural environment as a result human life;

29) discharges, discharges to surface and underground water objects, the nature of the terrain waste water containing contaminants and other waste finally, as you said, clipped in the natural environment as a result human life;

30) air conditioning system - Means the atmosphere, the hydrosphere, the biosphere and geosphere and their interaction.

Article 2. Legislation on the protection of nature

1. Legislation on the protection of nature is based on the Constitution of Turkmenistan and consists of this Law and other normative legal acts of Turkmenistan, regulating relations in the field of nature conservation.

2. If an international treaty of Turkmenistan other rules than those provided for in this Act, the rules of the international treaty.

Article 3. The basic principles in the field of nature conservation

Nature conservation is carried out on the basis of the following key principles:

(1)ensure that everyone has a right to a favorable environment, priority of protection of life and the health of the people, create an enabling environment for human life, conservation and restoration of the environment; (2)

((2)combination of environmental, economic and social interests of the society in order to ensure the sustainable development and the environment;

(3)the issues of conservation and environmental management on a scientific basis; and (4

4) to ensure environmental safety and rehabilitation environmental systems; and (5)

(5)to ensure the conservation of biological diversity, and of the environment, in particular environmental, scientific, and cultural value; (6

(6) the protection, reproduction and rational use of natural resources in order to ensure that the environment and environmental security; (7)

(7)payments for the use of natural resources and compensation for damage caused to the environment; (8)

(8)separation of functions environmental management and protection Nature, independence monitoring in the field of nature conservation;

(9) be bound by assessment of the impact on the environment when making decisions on the implementation of the business and other activities;

10) be bound by the State environmental impact assessment projects and other documentation, supporting business and other activities;

(11) The involvement of citizens, public associations and bodies of local self-government in the implementation of the activities in the field of nature conservation;

(12) to ensure transparency in decision-making environmental challenges, the right of citizens to receive accurate information in the field of nature conservation and environmental management; (13)

(13)guarantee administrative and judicial review of decisions of public bodies;

(14) the organization and development of the environmental education, environmental awareness and education the environmental culture;

(15) the international cooperation in the field of nature conservation.

Article 4. The ownership of the natural resources

1. All the natural resources that are within the territory of Turkmenistan and Turkmen sector of the Caspian sea, are related to public property.

Land may be transferred to the private property on the terms and in the manner determined by the law of Turkmenistan.

2. Conditions, the order of provision, use and conservation of the natural resources is governed by the law of Turkmenistan.

Article 5. Sites for the Conservation of Nature

1. The Protection from destruction, degradation, depletion, damage, pollution, and unsustainable use of other harmful effects are to be land, soil, subsoil, surface and underground water, forests, objects plant and animal world, environmental systems, atmospheric air, climate and the ozone layer of Earth.

2. Special security protection are to be objects of nature, which are of special environmental, scientific, and cultural value, as well as specially protected natural territories.

Chapter II. PUBLIC ADMINISTRATION IN THE FIELD OF nature conservation

Article 6. The Cabinet of Ministers of Turkmenistan in the field of nature conservation

The Cabinet of Ministers of Turkmenistan: (1)

approves the main directions of the strategy for public policy in the field of nature conservation and environmental management, defines the steps for its implementation; and (2

) approves public programs in the field of conservation and environmental management; and (3

) maintains a list of objects that are of particular environmental, scientific, and cultural value, takes a decision on the establishment of state natural reserves, state biosphere reserves, national parks and other protected natural territory within its competence; (4

) establishes the procedure of licensing in the field of conservation and environmental management, and the environmental auditing; (5)

coordinates the work of the ministries and other central bodies of the state administration on issues of international cooperation in the field of nature conservation; (6)

addressing other issues, within its competence, in accordance with this Law and other normative legal acts of Turkmenistan.

Article 7. The authorized body of state administration in the field of nature conservation

The authorized body of the state administration in the field of nature protection: (1

) is public administration in the field of nature protection in Turkmenistan; and (2

) generates proposals for formation of a unified state policy in the field of nature conservation and environmental management in Turkmenistan, and ensures its implementation; and (3

) prepares and has contributed to the Cabinet of Ministers of Turkmenistan proposals for the protection of nature conservation and environmental management for their inclusion in the draft projections and programs for the socio-economic development of Turkmenistan; (4)

ensures the development and implementation of the governmental programs and other policy documents in the field of nature conservation and environmental management, as well as agree upon local programs and plans of action for the protection of nature; and (5)

develops draft laws and other normative legal acts of Turkmenistan on the conservation of nature and the use of natural resources; (6

) coordinates the work of the bodies of state administration, businesses, institutions and organizations, regardless of their form of ownership in the field of conservation and environmental management;

(7) has the state monitoring of the Turkmenistan's legislation in the field of conservation and environmental management legal and physical persons; (8

) the monitoring of environmental systems, prevention of pollution of land, water and groundwater, the marine environment Turkmen sector of the Caspian Sea and its coastal zone, the use of natural resources;

(9) has the state control over the protection and prevention of pollution atmospheric air, ozone-layer depletion of land and a reduction in emissions of greenhouse gases;

10) Carries out the state control over the protection, reproduction and rational use of plant and animal world, as well as for compliance with regulatory legal acts of Turkmenistan on the protection rare and endangered species of plants and animals listed in the Red Book Turkmenistan;

(11) is the state control of the state, environmental protection and the protection forest fund, for the use, reproduction forests, planted forests, as well as the specially protected natural territories and objects;

(12) establishes the order of reference and organizes the public monitoring of the state of

(13) implementing accounting and natural resource assessment, the state forest inventory, inventories of plant and animal world, specially protected natural territories, as well as in conjunction with other relevant bodies of public administration has been involved in the development of national inventories water and land resources, mineral resources, the atmospheric air, greenhouse gas emissions and other inventories in accordance with the legislation of Turkmenistan;

(14) participates in the prescribed manner in the development of national standards in the field of nature conservation;

(15) develops and maintains sound long-term economic performance standards board for the use of natural resources and emissions (discharges) pollutants into the environment, as well as for calculating the penalties for the damage caused to the environment as a result of the violation of environmental legislation of Turkmenistan; (16)

provides the conduct of scientific research in the field of conservation and environmental management; (17)

has been monitoring the Compliance with environmental legislation of Turkmenistan, as well as guidance for the assessment of the impact on the environment;

(18) established a State ecological expertise placement and design documentation for construction and renovation industries, business and residential facilities;

(19) has been involved in the public and the working commissions for approval new and reconstructed industries, business and residential facilities; (20

) sends a, suspend and revoke licenses in the prescribed manner in respect of the activities on the use of natural resources and the protection of the environment, development of environmental documentation according to the legislation of Turkmenistan on licensing certain types of activities;

(21) takes decisions on the mandatory environmental auditing;

(22) prepares and submits documents in accordance with the legislation of Turkmenistan, in the decision of the suspension, termination of the activities of legal entities or natural persons or realigning environmentally hazardous sites and facilities in Cases, if they are a danger to the life and health of the population and the natural environment;

(23) determines the quota for use of plant and animal life, including the types, which may be stored in the Red book of Turkmenistan; 24)

determines the order and issues permits for the

25) Manages the prefects specially protected natural territories, provides activities to their protection and restoration, as well as leadership research, prepares and contributes to the Cabinet of Ministers of Turkmenistan proposals on the establishment of specially protected natural territories;

26) provides one-time permission to export and import and other ozone-depleting substances and (or) products containing ozone depleting and other substances, adjustable in accordance with the legislation and the international treaties to which Turkmenistan;

(27) defines the objects and places hunting, set a time-frame for hunting season, determines quotas and displays in the prescribed manner permits the use of hunting animals;

28) deals with cases of administrative offenses in relation to the protection of nature, in accordance with the legislation of Turkmenistan; 29

) provides the organization promoting the conservation of nature conservation, environmental education and education of citizens;

30) participates in international cooperation in the field of For the conservation of nature, coordinates the work of the ministries and other central bodies of the state administration on the implementation of the commitments of Turkmenistan, arising from the international environmental treaties;

31) addresses other issues, within his competence, in accordance with this Law and other normative legal acts of Turkmenistan.

Article 8. The competence of the local executive authorities and local self-government in the field of nature conservation

1. Local government authorities: (1)

contribute to the realization of the state programs for the protection of nature and the rational use of natural resources; and (2

) shall take measures for the management, the protection of land, subsoil, water, forests, atmospheric air, and the plant and animal world, other natural resources in the territory concerned and exercise control in this area, in accordance with the legislation of Turkmenistan; and (3)

in consultation with territorial authorities in the field of nature protection shall prepare draft decisions on the suspension of the activities of enterprises, institutions, organizations, which constitute a threat to the health of the population and the environment and leading to the violation of environmental legislation of Turkmenistan; (4)

in the prescribed manner seek records of managers of the local self-government bodies, businesses and organizations on the state of the environment and the use of natural resources in a given territory; and (5

) provide adequate health status in territories under their jurisdiction, the timely removal and destruction Industrial and domestic waste, not allowing their fire; (6

) to the concurrence of the authorized body of state administration in the field of nature protection and the other is specifically authorized by the public authorities, in accordance with the requirements sanitary rules and regulations shall establish the procedure and conditions for data collection, use, disposal, transportation, storage and disposal production and domestic waste management;

(7) determine the location of special sites for disposal, recycling or storage production and domestic waste management; (8)

make proposals in the authorized body of the state administration in the field of nature conservation on the protection of sites of nature, in particular environmental, scientific, and cultural importance, and on the organization of the specially protected natural territories;

(9) to promote in the public environmental impact assessment;

10) contribute to activities of public associations in the field of nature conservation;

(11) are involved in the implementation of the environmental education of the population And to promote knowledge in the field of nature conservation;

(12) address other issues, within their competence, in accordance with this Law and other legal acts of нормативними Turkmenistan.

2. Bodies of local self-government: (1)

organize activities for the protection of nature and the rational use of natural

CHAPTER III. Rights and duties of citizens and civil society organizations in the field of nature conservation

Article 9. Rights and duties of citizens in the field of nature conservation

1. Citizens of Turkmenistan, foreign citizens and stateless persons have the right to a favorable environment, at its protection from the adverse effects caused by business and other activities.

2. Citizens have the right to: (1

) to participate in the prescribed manner natural resources, to participate in the activities for the protection of nature and the environment; and (2

) to create public associations, carrying out activities in the field of nature protection; (3)

to apply to the state authorities and organizations with complaints, statements and proposals on matters relating to the environment, as well as the judicial authorities to ensure the protection of infringed environmental rights; (4)

to receive complete and accurate information on the state of the environment in their places of residence; and (5)

to take part in meetings, rallies and demonstrations, referenda on issues for the conservation of nature; (6)

to make proposals on the public environmental impact assessment (EIA) and to participate in its implementation, in accordance with the legislation of Turkmenistan; (7)

to require the lifting in the administrative or judicial review of decisions on the placement, construction, reconstruction, and commissioning Enterprises, installations and other environmentally harmful objects, as well as on the limitation, suspension and termination business and other activities of legal entities and natural persons, responding with a negative impact on the environment and human health; (8)

to raise questions about the bringing to justice those responsible officials, citizens and legal persons, to bring to the court claims for compensation for damages caused by their health and property as a consequence of the breach of environmental legislation of Turkmenistan;

(9) to exercise any other rights, as provided for in legislation of Turkmenistan.

3. Citizens are required: (1)

to preserve the natural, to cherish the environment and natural resources; and (2

) to comply with the requirements of environmental legislation; (3)

carry out any other duties, as provided in the law of Turkmenistan.

Article 10. Rights and responsibilities public associations in the field of nature conservation

1. Public associations in the implementation of its activities in the field of nature protection have the right to:

(1) to develop and promote their programs in the field of nature protection, to protect the rights and legitimate interests of citizens in relation to the protection of nature, to bring them to the implementation of the environmental management activities; (2)

to provide assistance to public bodies and organizations in addressing issues in the field of nature protection; (3)

to participate in the activities for the protection of nature, rational use of natural resources, the protection of sites of nature, in particular environmental, scientific, and cultural value, the organization and the activities of specially protected natural territories; (4)

in accordance with the legislation of Turkmenistan to make proposals for referendums on issues of conservation and the discussion of the projects relating to the environment; and (5

) to apply to the state authorities and organizations, to the officials of the receiving timely, complete and reliable Information on the state of the environment, measures for its protection and rehabilitation; (6)

to participate in the prescribed manner in decision-making on matters related to the conservation and sustainable use of natural resources; (7)

to apply to the state authorities and organizations, statements and proposals on matters related to the conservation of nature, and to receive timely responses; (8)

to hold in the prescribed manner public hearings on design issues, accommodation facilities business and other activities, which may result in harm to the environment and (or) health of the population;

(9) to participate in the organization and in the prescribed manner public environmental impact assessment;

10) to file a complaint with state authorities and organizations, as well as in the court treatment for the annulment of decisions on the design, location, construction, reconstruction, on the exploitation of economic and other activities which may have a negative Impact on the environment, on the limitation, suspension and termination business and other activities, had a negative impact on the environment;

(11) to exercise public control in the field of nature protection, create a public inspection for the protection of nature, in order to participate in the control carried out by the public authorities in the field of nature protection check

CHAPTER IV. Economic regulation in the field of nature conservation

11. Economic measures in the field of nature conservation

1. The economic measures in the field of nature conservation include: (1

) The planning and financing of the activities for the protection of nature; (2)

establishing limits on the use of natural resources, emissions and discharges pollutants into the environment and the waste disposal; (3)

fees for the use of natural resources, for discharges and emissions of pollutants into the environment, waste disposal, the other types of harmful effects on the environment; and (4

) the use of punitive sanctions for administrative offenses in the field of nature protection; (5)

economic evaluation and compensation for damages from pollution of the environment; (6

) The ecological insurance; (7)

economic incentives for the conservation of nature.

2. Legislation of Turkmenistan can be installed with other economic measures in the field of nature conservation.

Article 12. Planning and Financing of the activities for the protection of nature

1. Activities for the protection of nature are taken into account in the projections and programs in the field of nature conservation and environmental management, and are included in the state program for the socio-economic development of Turkmenistan.

The development of programs in the field of conservation and environmental management is determined by the legislation of Turkmenistan.

2. Financing of the programs and activities for the protection of nature is carried out by: (1)

of the State budget of Turkmenistan; and (2

) funds received in the form of a board for the use of natural resources, emissions and discharges pollutants into the environment, waste disposal, the other types of harmful effects on the environment; and (3)

funds received as compensation for the damage for the pollution of the environment; and (4

) funds received from compulsory environmental insurance; (5)

their own funds affordable housing; (6)

voluntary contributions and donations from legal and physical persons; (7)

other means, is not prohibited by the law of Turkmenistan.

Article 13. Limits on the use of natural resources, emissions and discharges pollutants into the environment, production and consumption waste

1. Limits on the use of natural resources, and the emissions and discharges pollutants into the environment, production and consumption waste are the environmental constraints and constitute a set volume limit of use (exceptions) natural resources, emissions and discharges to the environment and accommodation waste production and consumption patterns.

2. Limits on the use of natural resources, emissions and discharges pollutants into the environment, production and consumption waste are normative legal acts of Turkmenistan.

Article 14. Board for the use of natural resources, emissions and discharges pollutants into the environment

1. Fees for the use of natural resources is charged: (1)

for the right to use of natural resources within the established limits; (2)

surcharges for use of natural resources.

2. The pollution of the environment and other types of harmful effects on the it charged: (1)

the emissions, pollutants, waste disposal and other types of pollution within the established limits; (2)

the emissions, pollutants, waste disposal and other types of pollution in excess of the limits.

3. The order of computation and the application of standards board for the use of natural resources is determined by an authorized body of state administration in the field of nature conservation. Standards board for pollution of the environment and use of natural resources shall be subject to indexation, as price changes in Turkmenistan.

4. The board for the use of natural resources is not exempt from the ICZM activities for the protection of nature, to pay fines for the violation of environmental legislation of Turkmenistan and reparation for the damage caused by the pollution.

Article 15. Economic promotion activities for the protection of nature and the management of natural resources

economic incentive measures for the conservation of nature and the management of natural resources are carried out in an order defined by legislation of Turkmenistan.

Article 16. Environmental liability insurance

1. In Turkmenistan is compulsory public environmental insurance legal and natural persons carrying out environmentally dangerous types of business and other activities.

2. The procedure and conditions for compulsory state environmental insurance shall be established by the legislation of Turkmenistan.

3. Legal and natural persons may enter into a contract way voluntary environmental insurance in the implementation of the environmental activities, is not provided for part of the first article.

CHAPTER V. ENVIRONMENTAL rationing

Article 17. The basic requirements for environmental regulation

1. Environmental rationing is being carried out in order to establish a scientific and reasonable range of impact on the environment, guaranteeing a conducive environment and ecological security.

2. Environmental rationing is to establish standards out of range low impact on the environment in the implementation of the business and other activities, standards and other standards in the field of nature conservation.

3. Environmental regulations are mandatory for compliance with all legal and physical persons, carrying out business and other activities.

4. Environmental rationing in the field of nature protection is carried out by an authorized body of state administration in the field of nature protection in accordance with the legislation of Turkmenistan.

Article 18. Regulations limit impact on the environment

1. In order to protect public health, prevent the harmful impact of business and other activities on the environment, for legal and physical persons, standards out of range low impact on the environment.

2. Regulations limit impact on the environment are set for each source based on the standards of permissible anthropogenic load and to take account of the contribution of other sources of environmental impact.

3. The impact of the established standards exceeded the limit of impact on the environment legal and physical persons, entities and other activities depending on damage caused to the environment is the responsibility, in accordance with the legislation of Turkmenistan.

Article 19. Regulations maximum allowable emissions and discharges into the environment

regulations maximum allowable emissions and discharges to the environment are installed on the basis of their total income from each source of pollution all without exception business objects, data inventory emissions and discharges harmful substances on each source of pollution, the regulations maximum permissible concentrations of harmful substances in the natural environment and its background pollution.

Article 20 Radiation and other harmful physical effects

1. Regulations maximum allowable noise levels, vibration, magnetic fields, infrared radiation and other harmful physical effects are set at the level, ensuring the health of the population and the protection of the environment.

2. Regulations maximum allowable noise levels, vibration, magnetic fields, infrared radiation and other harmful physical effects are developed and approved a specially authorized state bodies of Turkmenistan.

Article 21. Regulations out of range low-level radiation exposure

1. Regulations the permitted level effects of the radiation on the environment and food, is out of range high-level radiation exposure of the population are installed in terms, not of danger to the health of populations and an enabling environment.

2. Regulations the permitted level radiation effects are developed and approved a specially authorized state bodies of Turkmenistan.

Article 22. Maximum permissible rules for the use of agro-chemicals in agriculture and forestry

in order to protect health, conservation of genetic rights, the protection of plant and animal life are set maximum permissible rules for the use of mineral fertilizers, plant protection agents, stimulants and other agro-chemicals in agriculture and forestry in doses, to ensure compliance with the regulations limit of residual quantities of chemicals in food, soils and waters.

Article 23. Regulations valid exemption components natural environment

1. Standards of acceptable exemption components natural environment are installed in accordance with the limits of their seizure in order to preserve the natural objects, the sustainable functioning of ecological systems and to prevent their degradation.

2. Regulations valid exemption components natural environment and how to establish them is governed by the law of Turkmenistan on the subsoil, animal and vegetable world, land, water, forestry law and other legislative acts of Turkmenistan in the field of conservation and environmental management. Data standards are set in accordance with the requirements in the field of nature conservation, protection and reproduction of natural resources, established **настоящ**

Article 24. State standards in the area of nature conservation

1. State standards in the area of nature conservation are set in relation to goods, works and services, restrictions on business and other activities, which may result in a threat to environmental security, life and health of the population, reproductive health and the management of natural resources, in order to prevent the adverse impact on the environment.

2. The state standards to the new equipment, technology, materials, chemicals and other products, processes, storage, transportation, use of such products, including after the transition in its category waste production and consumption should be taken into account requirements, standards and regulations in the field of nature conservation.

3. Turkmenistan's State standards and technical conditions in the field of nature conservation are developed and approved, in accordance with the legislation of Turkmenistan.

Article 25. Environmental certification 1.

Environmental certification in order to ensure product safety and the implementation of the business and other activities on the territory of Turkmenistan for the security of life and health of the population and the environment.

2. The implementation of the economic activity and production, to be mandatory environmental certification, are prohibited without a certificate of conformity.

3. Environmental certification is carried out in the manner prescribed by the laws of Turkmenistan.

VI. ENVIRONMENTAL ASSESSMENT AND ASSESSMENT OF IMPACTS ON THE ENVIRONMENT

Article 26. Environmental assessment

1. Environmental impact assessment is being conducted in order to establish compliance with planned business and other activities in the field of nature conservation and prevention of possible adverse effects of the activity on the environment and the related consequences.

2. The environmental assessment is normative legal acts of Turkmenistan.

Article 27. The State ecological expertise

1. The State environmental impact assessment is carried out by an authorized body of state administration in the field of nature conservation within the purview of, a specific legislation of Turkmenistan on environmental impact assessments.

2. The implementation of the project, subject to environmental impact assessment, without positive opinion of state environmental impact assessments is prohibited and is not subject to financing.

3. A list of the projects and facilities, subject to mandatory state environmental impact assessment, the procedure for its conduct is determined by normative legal acts of Turkmenistan.

Article 28. Public ecological expertise

Public environmental impact assessment is carried out by independent groups of specialists on the initiative public associations with their own funds or on a voluntary basis.

Article 29. An environmental impact assessment

1. The evaluation of the impact on the environment are carried out in relation to planned business and other activities, which may have a direct or indirect impact on the environment regardless of organizational and legal forms of ownership entities business and other activities.

2. The evaluation of the impact on the environment is carried out in the development of all alternative options for placement, including investment, and project documentation, basing such planned business and other activities.

3. Requirements for materials assessment of the impact on the environment are installed by an authorized body of state administration in the field of nature conservation.

Chapter VII. ENVIRONMENTAL REQUIREMENTS FOR DECEMBER AND OTHER ACTIVITIES

Article 30. General environmental requirements for activities of legal entities and natural persons carrying out business and other activities

1. Legal and natural persons engaged in business and other activities on the territory of Turkmenistan, are obliged to:

(1) to ensure that measures for the protection of nature through the formulation and adoption of plans of action for the protection of the environment; (2)

to develop environmental passport, representing data set, expressed through a system of performance indicators, reflecting the level of natural resources and the degree of their impact on the environment.

2. Environmental passport approved by legal or physical persons to the concurrence of the authorized body of state administration in the field of nature conservation.

Article 31. Environmental requirements for the siting, design, construction, reconstruction, operation, maintenance and disposal of buildings, facilities and other sites

1. Location, design, construction, reconstruction, commissioning, operation, preservation and the elimination of buildings, facilities and other objects that have a direct or indirect impact on the environment, are carried out in accordance with the requirements in the field of nature conservation. This should provide for activities on the protection of the environment, restore the quality of the natural environment, sustainable use of natural resources and reproduction and to ensure the environmental safety.

2. One older buildings, facilities and other facilities should be ensured compliance with the requirements in the field of nature conservation, environmental management, reproduction taking into account the environmental effects of the specified objects.

3. When designing buildings, facilities and other facilities should be taken into account regulations permissible anthropogenic load on the environment, provide for activities for the prevention and elimination of pollution of the environment, as well as ways to place waste production and consumption patterns, applied ecology, progressive, industrial injuries and other best existing technologies, to promote the protection of nature and its recovery, rational use of natural resources and reproduction.

4. The construction and the rehabilitation of buildings, facilities, and other facilities must be on the approved projects, agreed with the state environmental expertise, in accordance with the requirements in the field of nature conservation.

When the construction work being taken to land reclamation, environmental management and reproduction, upgrading the territory and the protection of the environment.

5. Enter the maintenance of the buildings, facilities, and other objects are provided in the full amount of environmental activities, provided for in the project documentation.

6. Legal and natural persons carrying out maintenance of the buildings, facilities, and other facilities, will be required to:

(1) comply with the approved technology and requirements in relation to the protection of nature, to restore the natural environment, sustainable environmental management; (2)

to ensure compliance with the regulations of the environment on the basis of the application of technical means and clearance technology and safe accommodation waste production and consumption patterns, mine emissions and discharges, as well as other best existing technologies, to ensure that the requirements in the field of nature conservation; (3)

to conduct activities to restore the quality of the natural environment, land reclamation, upgrading the territory in accordance with the requirements of legal of Turkmenistan.

7. The elimination of buildings, facilities and other facilities is carried out in accordance with the environmental legislation of Turkmenistan and if there are approved in accordance with the project documents.

In the liquidation of buildings, structures, facilities, and other facilities must be designed and implemented activities to restore the quality of the natural environment, including reproduction components natural environment, in order to ensure an enabling environment.

Article 32. Environmental requirements for operation of industry, energy, transport and communications, agriculture and water management

Operating facilities industry, energy, transport and communications, agriculture and water management should be carried out on the basis of the defined environmental requirements and with the use of environmentally o6oc-ments technology, necessary treatment facilities and establishing health-protective zones, precluding pollution of the environment. The operation of these facilities should be introduced progressive and latest software technology and production, equipped with efficient means for cleaning, disposal and hazardous waste management, emissions and discharges, to apply safe types of fuel, cost-effectiveness and efficient use of natural resources, to take measures to ensure environmental security.

Article 33. Environmental requirements when building cities and other human settlements

1. Design, construction, reconstruction cities and other settlements should ensure the most favorable conditions for life, work and leisure, taking into account the requirements of environmental security and the preservation of the environment.

2. In the planning and construction cities and other human settlements should be considered and implemented by sanitary cleaning, clearance, disposal, storage, disposal, recycling and disposal of the waste. Around the cities and industrial centers should be established лесопарковые, green and protective zone with limited environmental management regime.

Article 34. Environmental requirements in the use of chemicals

1. Legal and physical persons are required to comply with environmental requirements in the production, storage, transport, use, disposal and dumping chemicals, to comply with the established regulations their use, to take measures to prevent and eliminate the

harmful effects of their use on the environment, as well as when the vehicle exceeds the established standards immediately to inform the relevant authorities in the field of chemical safety.

2. Do not import in Turkmenistan in order to storage or disposal chemical waste and materials from other states.

Violation of environmental requirements when handling chemical substances that pose a threat of pollution of the natural environment, entails the prohibition of the production, storage, transport, use, disposal and dumping these substances.

Article 35. The protection of nature from the harmful impact of noise, vibration, magnetic fields, infrared radiation and other harmful physical effects

1. Legal and natural persons are obliged to take the necessary and effective measures to prevent and eliminate harmful impact of noise, vibration, harmful effects of magnetic fields, infrared radiation and other harmful physical effects on the natural environment in production, public and residential buildings, and on the streets, in the courtyard, the space cities and other human settlements in public recreation areas and habitats wild animals.

2. The planning and construction cities and other human settlements development, design, construction, reconstruction and maintenance production or other facilities, the establishment and development of technology, use of vehicles and means of communication should be taken into account regulations maximum permissible noise levels, vibration, magnetic fields, infrared radiation and other harmful physical effects.

Article 36. The protection of nature from the harmful biological effects of

Legal and physical persons, having or likely to have biological effects on the natural environment, have an obligation to ensure environmentally safe production (creation), storage (the content), acclimated and реакклиматизацию, transport, use and disposal of species of microorganisms, animals, plants and substances, to develop and carry out the activities on the prevention of accidents and disasters, the prevention and elimination of consequences of harmful biological effects on nature and human health, preservation of natural genetic and environmental systems.

Article 37. Environmental requirements when handling the waste management

1. Legal and natural persons are obliged to take the necessary and effective measures to reduce education, use, disposal, recycling, warehousing and disposal of production and consumption.

2. Warehousing, the destruction and disposal of the waste produced in the field, as defined by the decisions of the local executive authorities and local self-government in consultation with the authorized state bodies.

Do not waste dumping and untreated waste water into surface and underground water objects, the land water fund, on the territory of arrays, forest fund, agricultural lands and other natural objects.

Do not dumping construction waste directly at the place where the object and the vessel adjacent to the territory.

3. Prohibits the export and import of hazardous waste.

The removal of hazardous wastes at the special facilities, their burial and warehousing at the landfill are manufactured with an authorized body of state administration in the field of nature conservation and other authorized state bodies.

It is prohibited the dumping of hazardous waste in the territory near cities and other human settlements, in the irrigated lands, water facilities, including in the waters Turkmen sector of the Caspian sea, and on land water fund, resort, spa, health spa, recreational areas, and other places, where it may be a risk to health of the population and of the natural environment.

4. Resolution on the disposal of hazardous wastes is a specially authorized state bodies in order to be determined by Cabinet of Ministers of Turkmenistan.

5. Failure to comply with the requirements established by this article, entails the punitive sanctions, suspension or termination of legal and physical persons, education-related waste, on the decisions made by public bodies within their areas of competence.

6. Environmental requirements when handling the waste are determined in accordance with this Law and other normative legal acts of Turkmenistan.

Article 38. Environmental requirements in the implementation of the business and other activities in the Turkmen sector of the Caspian Sea

1. Legal and natural persons engaged in business and other activities in the Turkmen sector of the Caspian sea, are obliged to take all necessary measures for the protection of the marine environment of the Caspian Sea and its coastal zone pollution from marine and land-based sources in order to achieve and maintain environmentally sound marine environment of the Caspian Sea. This should be mandatory activities for the protection of the marine environment of the Caspian sea, its restoration, conservation, reproduction and rational use of the biological resources and to ensure the environmental safety.

2. Violation of the requirements for the protection of the marine environment of the Caspian Sea from pollution of marine and land-based sources entails the suspension or termination of the full business and other activities in accordance with this Law and other normative legal acts of Turkmenistan.

3. Authorized public bodies are required to take the necessary measures for the protection, conservation and restore the viability and integrity of biological diversity and ecological systems of the Caspian Sea, as well as on sustainable and rational use of biological resources. For this purpose, they are the state monitoring the natural environment and biological diversity of the Caspian sea, control pollution sources and any activities which have or may have adverse effects on the environment and biodiversity of the Caspian Sea.

4. Companies in the implementation of all types of oil works in the Turkmen sector of the Caspian Sea are responsible for protecting the life and health of the sea, an alert public bodies on the cases, oil spills, and the adoption of measures for the prevention and elimination of oil spills, timely clean up and compensation for damage to the environment and the population.

The authorized state bodies shall exercise control over the activities of legal and physical persons to fulfill their requirements and activities to prevent oil spills in the Turkmen sector of the Caspian sea, in accordance with the legislation of Turkmenistan.

Public authorities shall take all necessary measures to prevent and eliminate the effects of the incident, caused by oil spill in the Turkmen sector of the Caspian sea, in accordance with the normative legal acts of Turkmenistan.

PECYPCOB Chapter VIII. The subsoil, land and water resources

Article 39. The subsoil

1. Under the protection subsoil is defined as scientific and reasonable rational and careful use of minerals, as well as take full, technically available and economically feasible to extract, disposal of the waste, the elimination of the damage caused by a natural natural landscapes.

2. The main activities of the subsoil protection are based on the ресурсосбережении: loss prevention during extraction, transportation of minerals, with their enrichment and reprocessing facilities, use finished products.

The main requirements for the protection subsoil are: (1

) the implementation of the government's environmental impact assessment; and (2

) the inventory of mineral resources, as well as subsurface sites, are used in order to, is not related to the mining of minerals; (3

) the protection of mineral deposits from flooding, decision, fires and other factors that reduce the quality of mining and industrial value of mineral deposits or exacerbate their development; (4)

the prevention of the pollution subsoil in carrying out related to the enjoyment of exploration, especially in underground storage of oil, gas or other substances and materials, graves harmful substances and waste production, discharges of sewage waters; (5

) other measures to ensure protection of the subsoil, the normative legal acts of Turkmenistan.

3. In case of violation of the second part of this article the right to use subsoil may be limited, suspended or terminated by authorized state bodies in accordance with the legislation of Turkmenistan.

Article 40. Protection of land resources

1. Protection of land resources includes the legal, organizational, economic and other activities aimed at the protection of land from pollution, to their rational use, to prevent unnecessary removal of land from the agricultural and forestry traffic, as well as the recovery and improve soil fertility.

2. The goals and objectives of land are: (1

) prevention of land degradation and the violation of lands, other adverse effects of business and other activities by promoting environmentally sound production technologies and the afforested, drainage and other activities; and (2

) the improvement and rehabilitation of lands, degraded or violation; (3

) implementation in practice environmental standards optimal land use.

3. Legal and natural persons are obliged to undertake activities aimed at: (1

) protection of land degradation and desertification, water and wind erosion, mudslides, handheld fire, waterlogging, secondary salinization, иссушения, seals, waste production and consumption patterns, chemical, biological, radioactive and other harmful substances, from other processes of destruction; and (2

) protection against infection from agricultural land quarantine pests and plant disease, of overgrown weeds, with scrub and there came, from other types of land degradation; (3)

reclamation degraded lands, restore their fertility and other useful properties of land and in a timely manner its involvement in the invention; (4)

remove, the preservation and use of soil work, related to the violation of land.

4. For the siting, design and operation of the new entry in the sdc's buildings, facilities and other facilities, the introduction of new equipment and technology, which had a negative impact on the condition of land, should be implemented for the protection of land, must be ensured compliance with environmental and other special requirements in accordance with the legislation of Turkmenistan.

Article 41. Protection of water resources

1. Water facilities shall be subject to the protection of: (1)

natural and technogenic pollution harmful hazardous chemicals and toxic substances and their connections, radiation and other contamination; and (2

) restriction solid waste production, domestic and other origin; (3)

depletion.

2. Water facilities shall be subject to the protection with a view to prevent: (1)

violations of environmental sustainability natural systems; and (2

) of the injury of life and health of the population; (3)

reduce fish resources and other water animals; (4)

deterioration of conditions water supply; (5)

reduce the ability of the water bodies to natural reproduction and remediated; (6)

deterioration of hydrological and hydrogeological regime of the water bodies; (7)

other adverse events that adversely affect the physical, chemical and biological properties of the water bodies.

3. Protection of water resources is carried out by: (1)

a common requirements for the protection of water objects to all water users in the performance of any types of use;

(2) any special requirements to the individual types of business activities; (3)

improvement and the use of water conservation activities with the introduction of the new technology and environmentally, dental only environmentally sound technologies; (4)

establish a water protection areas, protective strips water objects, protection areas sources of drinking water; and (5)

of the public and other forms of control over the use and protection of water facilities; (6)

the application of liability for failure to comply with requirements for the protection of water objects.

4. Legal and physical persons, whose activities affect the sos-тояние water facilities, are required to comply with environmental requirements, established by the legislation of Turkmenistan, and to conduct organizational, technological, лесомелиоративные, high evaporative demand, hydro, sanitary-epidemiological and other activities, to ensure protection of water objects from pollution, contamination and depletion.

CHAPTER IX. Protection of Forests, and the plant and animal world. Especially protected natural territories and objects

Article 42. Protection of Forests

1. Forests irrespective of their category shall be subject to the protection and management forest management as habitats plants and animals, as well as an important part of the geographical environment, having a водоохранное, водорегулирующее, to vmail-возащитное, climate, recreational and cultural and aesthetic value.

2. Legal and physical persons, in the territory of forest fund, have an obligation to undertake forest activities, aimed at preventing forest fires, the observance of fire safety and sanitation, protection of forests from illegal forestry industry complex is especially efficient, damage and other violations of forestry legislation of Turkmenistan, the protection forest land, as well as other activities that protect forest fund, reproduction, conservation and sustainable management of forests and planted forests.

Article 43. The plant world

1. The plant world is aimed at the preservation of plant world, their strength, resource capacity and productivity, preventing them from damage, destruction, or other negative impact on them.

2. The plant world is carried out on the basis of legal, institutional, economic and other activities aimed at sustainable use, reproduction, improving productivity and sustainability of natural vegetation.

3. Legal and physical persons, using objects plant world, are obliged to provide protection environment growing wild plants and their communities, the management of the territory occupied by natural vegetation communities, suppress violations of legislation on the rational use and reproduction facilities plant world and other activities in accordance with the legislation of Turkmenistan.

Article 44. The animal world

1. The animal world is aimed at the preservation or restoration of biological diversity, the sustainable development of the existence of animal life, as well as to the creation of conditions for sustainable use and reproduction of animal world, living in a natural freedom.

2. The animal world is carried out on the basis of legal, institutional, economic and other activities aimed at sustainable use and reproduction animal world and ensuring sustainable livelihoods animal world.

3. Legal and physical persons, using objects animal world, will be required to:

(1) to observe the law of Turkmenistan on the animal world; (2)

use of facilities animal world ways, not admitting violation of integrity of the natural communities and habitats of animal world and providing security for the population and the natural environment; (3)

to comply with other requirements for the protection, reproduction and rational use of animal world, provided for in the legislation of Turkmenistan.

Article 45. Protected Natural territories and objects, to be special security protection

1. Special security protection shall be subject to the territory, natural complexes and individual objects, which are of special environmental, scientific, cultural, cognitive, recreation and recreational, aesthetic value, and with the aim of maintaining and restoring ecological balance, wealth and diversity of natural resources and mineral properties on the natural environment.

2. To the specially protected natural territories and objects include state natural reserves, state biosphere reserves, national natural parks, state natural reserves, public monuments, natural curative destination, public botanical gardens, Oleg Berlov public parks.

3. Special security protection are to be rare and endangered animal species and plant species, which may be stored in the Red book of Turkmenistan.

The Red Book of Turkmenistan is an authorized body of state administration in the field of nature conservation and the Academy of Sciences of Turkmenistan on the basis has been systematically updated data on the distribution and number of rare and endangered species of animal and plant species of Turkmenistan.

List of animals and plants recorded in the Red book of Turkmenistan, the order of their application and exceptions to it approved by the Cabinet of Ministers of Turkmenistan.

4. Legislation of Turkmenistan may provide for other categories and types of especially protected natural territories and objects (wetlands, international significance; key expeditions territory; unique natural water objects or parts of them and others).

5. Special protection shall be subject to the preservation zone and coastal tourism and recreation sites strip water objects, protected areas of the water bodies and the other zones in the order, as determined by legislation of Turkmenistan.

6. The procedure for the establishment, operation and mode of specially protected natural territories and objects shall be governed by the law of Turkmenistan on the specially protected natural territories.

CHAPTER X. ambient air protection, climate change and the ozone layer of Earth

Article 46. Ambient air protection

1. Ambient air protection is provided through the prevention, reduction and the impact of harmful chemical, biological, radiological, physical, and other effects, as well as greenhouse gas emissions on atmospheric air.

2. Legal and physical persons, whose activities relate to the pollutants emissions and harmful physical effects on the atmospheric air, are obliged to:

(1) to comply with requirements set by the law of Turkmenistan on the protection of atmospheric air; (2)

to ensure effective work facilities and equipment to reduce harmful emissions and harmful physical effects on the atmospheric air and to exercise control over them; (3)

to record the number of and the composition of pollutants released into the atmosphere; (4)

to monitor the design and construction of enterprises, installations and other facilities in the compliance with the requirements of the protection of the atmospheric air; and (5)

comply with the established, maximum permissible regulations harmful physical effects on the atmospheric air; (6)

to implement other measures to reduce pollutants, thrown in the atmospheric air.

Article 47. The protection climate change and mitigate its adverse effects

1. For the protection of climate change and mitigate its adverse effects is that of stabilizing greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

2. Climate protection and measures in the field of the protection system of man-made climate change, to mitigate its adverse effects should be taken into account socio-economic conditions and to be integrated into the program for the socio-economic development of Turkmenistan.

3. Legal and physical persons are obliged to take precautionary measures in order to prevent or minimize the causes of climate change and mitigate its adverse effects.

4. Activities in the field of protection climate system from human-induced change, to adapt to climate change must include all the ministries and other central bodies of state administration, other legal entities, as well as individuals and be included in the relevant plans and programs development of industries, industries and the territory.

Activities in the field of protection climate system from man-made changes include: (1)

the inventory of anthropogenic emissions by sources and removals by sinks of all greenhouse gas emissions; and (2)

) regulation of production and use of substances that have a negative impact on the climate, and in accordance with the international treaties to which Turkmenistan; (3)

introduction and application of technologies, practices and processes that reduce or prevent anthropogenic emissions of greenhouse gases; (4)

international cooperation and exchange of experience on climate change issues on the basis of scientific, technological, technical, socio-economic and other research; (5)

the other activities in the field of the protection system air conditioning and mitigate the adverse effects of climate change.

5. The authorized body of the state administration in the field of nature conservation, together with the ministries and other central bodies of state administration prepares periodic national reports and programs on climate change and, in accordance with the legislation of Turkmenistan, represents them in the Cabinet of Ministers of Turkmenistan.

Article 48. Protection of the ozone layer of Earth

1. Protection of the ozone layer of Earth from environmentally hazardous changes provided via regulation of the manufacture and use of ozone-depleting substances, in accordance with the laws and international treaties to which Turkmenistan.

2. Protection of the ozone layer of Earth from environmentally hazardous changes is provided by the accounting and control of the change in state of the ozone layer under the influence business and other activities, the establishment of standards of permissible emission of harmful substances, affecting the state of the ozone layer, reduction and complete cessation of the production and use of substances that deplete the ozone layer, as well as the application of measures responsibility for violation of the specified requirements.

CHAPTER XI. Emergency environmental emergencies and ecological disaster zones

Article 49. Emergency environmental situation

1. Emergency environmental situation is dire environmental situation, resulting in a particular territory as a result of man-made or natural disaster natural phenomena, characterized by persistent negative changes in the environment, dangerous to the life and health of the population, the conservation of biological diversity.

2. When emergency environmental situation in individual territories Turkmenistan may be prohibited or restricted to certain types of business activities and environmental management.

Article 50. Zone emergency environmental situation and environmental disasters

1. Areas ecological emergency declared areas of land, water and air space, where as a result of the economic and other activities, the destructive impact of natural natural phenomena occur persistent adverse changes in the environment, threatening health of the population, the status of environmental systems.

2. Environmental disaster areas declared parts of the territory, the water and the air space, where as a result of the economic or other activities, or destructive impact of natural forces of nature, or which took place accident or catastrophe occurred sustainable and irreversible changes in the environment, associated with the destruction of ecological systems.

3. The order declaring zones emergency environmental situations or environmental disasters and the establishment of their regime is determined by legislative acts of Turkmenistan.

4. Financing of the activities for the elimination of emergency environmental situation and environmental disasters, recovery zones ecological emergency and environmental disasters are: (1

) from the funds of enterprises, institutions and organizations, the fault which the accident occurred or catastrophe; (2)

the trust of the state budget and other sources

CHAPTER XII. CONTROL IN THE FIELD OF nature conservation

Article 51. Task of monitoring in relation to the protection of nature

1. Monitoring tasks in the field of nature conservation are monitoring the health of the environment and its changes under the influence of business and other activities, checking the implementation of the programs and individual activities for the protection of nature, rational use of natural resources, improve the environment and compliance with the requirements of environmental legislation of Turkmenistan.

2. In Turkmenistan is the state, interagency, production and public control in the field of nature conservation.

Article 52. State control in the field of nature conservation

1. The Government's control in the field of nature conservation is carried out within the limits of their competence by an authorized body of state administration in the field of nature protection, the other specifically authorized by public authorities in order to prevent, detect, eliminate violations of environmental legislation and irrational use of natural resources, as well as to bring offenders to justice, in accordance with the legislation of Turkmenistan.

2. Officials authorized body of state administration in the field of nature protection have the right to:

(1) freedom to travel to enterprises, institutions and organizations, regardless of their form of ownership and subordination, to request and receive free for documentation, the results of analyzes and other materials necessary for the implementation of state control in the field of nature protection; (2)

to verify the implementation of the programs, plans and activities for the protection, reproduction and rational use of natural resources, compliance with environmental legislation of Turkmenistan; and (3)

) to check for licenses for the implementation of the activities in the field of nature conservation and environmental management, a public environmental impact assessment, compliance with the conditions set out in the licenses of the use of natural resources and the implementation of the individual types of activities in the field of nature conservation, the implementation agreements (contracts) and permits for environmental management, to revoke their in the prescribed manner, to make regulations or to make proposals on their revocation; and (4)

) to make proposals on the implementation of public environmental impact assessment, environmental auditing and to verify compliance with their opinions; and (5)

to make regulations on the ban on the import (export) on the territory of Turkmenistan, as well as transit environmentally dangerous goods, waste and raw material resources, carried out with violations of standards of quality of the environment and environmental requirements; (6)

to produce environmental requirements for legal and physical persons, to make provisions for elimination of the violations in the field of nature conservation; (7)

) to consider, in accordance with the legislation of Turkmenistan, the cases of administrative offenses in relation to the protection of nature, to send materials to the appropriate authorities to bring the perpetrators of the administrative or criminal liability; (8)

) to determine qualitative

(9) to contribute to the relevant organizations proposal to suspend construction of facilities business and other activities carried out by the violation of environmental requirements or does not agree with state environmental expertise;

10) to verify the observance of rules and regulations production environmental control and monitoring;

(11) to apply to the law enforcement authorities for the provision of aid and to receive it for the prevention or suppression of action violators environmental legislation of Turkmenistan;

(12) to enjoy other rights, granted to them in accordance with the legislation of Turkmenistan.

3. Decisions by officials authorized body of state administration in the field of nature conservation are mandatory for execution of all legal entities and physical persons and can be appealed in the manner prescribed by the laws of Turkmenistan.

Article 53. Interagency monitoring in the field of nature conservation

1. The departmental monitoring in the field of nature conservation is to check compliance with departmental plans and activities for the protection of nature and the rational use of, rehabilitation and reproduce natural resources, improve the environment, compliance consumption of natural resources and the impact on the natural environment, the requirements environmental legislation of Turkmenistan.

2. Interagency monitoring in the field of nature conservation are carried out by the relevant offices of the ministries and other central bodies of state administration of Turkmenistan.

3. The procedure for the organization and the activities of departmental services are regulated by the provisions of the approved ministries and other central bodies of state administration of Turkmenistan, in consultation with the authorized body of state administration in the field of nature conservation.

Article 54. Production control in the field of nature conservation

1. Production control in the field of nature protection is carried out in order to ensure the implementation of the business and other activities requirements environmental legislation of Turkmenistan on the follow-up activities for the protection of nature.

2. Production control in the field of nature protection is carried out by their respective services enterprises, institutions and organizations.

Article 55. Public control in relation to the protection of nature

1. Public control in relation to the protection of nature is being carried out in order to ensure the right of everyone to a favorable environment and to prevent violations of environmental legislation of Turkmenistan.

2. Public control in relation to the protection of nature is public associations and citizens, in accordance with the normative legal acts of Turkmenistan.

3. The results public control in the field of nature protection, submitted by the public authorities, are subject to mandatory review in the manner prescribed by the laws of Turkmenistan.

Article 56. The State monitoring of the environment

1. The State environmental monitoring is carried out on a continuous basis in order to monitor the state of the environment, including in areas of active anthropogenic impacts, as well as in order to ensure the needs of the state, the legal and natural persons to reliable information on the state of the natural environment, the necessary for the prevention and (or) to reduce adverse effects of environmental change.

2. The structure, content and the procedure for the implementation of the state environmental monitoring is installed by an authorized body of state administration in the field of nature conservation.

Chapter XIII. Environmental education and training, research in the field of nature conservation

Article 57. Education and training in the field of nature conservation

1. In order to improve the environmental culture society and training of specialists is provided by universal, continuous and affordable education and training in the field of nature protection, covering pre-school and general secondary education and education, training specialists in primary professional, secondary vocational and higher educational institutions and enhancing their skills.

2. The headquarters professional education of various types, regardless of their profile, provides teaching foundations of ecology and courses for the protection of nature.

3. The ministries and other central bodies of the state administration, enterprises, institutions and organizations, and other officials and specialists, related to activities, responding with harmful effects on the environment, should understand the basics environmental legislation of Turkmenistan and the requirements to ensure environmental security.

4. Education authorities, nature conservation, other public bodies and public associations, the media disseminate knowledge on the conservation of nature and environmental management, environmental propaganda.

Article 58. Scientific research in the field of nature conservation

1. Scientific research in the field of nature protection is carried out in order to provide a scientific basis for the protection of the environment, the development of science-based activities to improve and restore the natural environment, ensuring the sustainability environmental systems and environmental security.

2. Objectives of research are: (1)

assessment of the impact of harmful impact of business and other activities on the environment; (2)

the development of the concept of, scientific forecasts and plans for the conservation and restoration of the environment; (3)

) improving environmental legislation of Turkmenistan, the norms, standards and other normative documents in the field of nature conservation; (4

) development and implementation best technology in the field of nature conservation and environmental management; and (5

) the development of activities for the conservation and development natural and recreational capacity-building; (6)

the implementation of the international cooperation with the aim of exchanging experiences in the field of conservation and environmental management;

(7) the implementation of the other direction science in the field of protection of nature.

CHAPTER XIV. RESOLUTION OF DISPUTES IN RELATION TO THE PROTECTION OF NATURE AND THE RESPONSIBILITY FOR THE VIOLATION OF ENVIRONMENTAL legislation of Turkmenistan

Article 59. Resolution of disputes in relation to the protection of nature

disputes in the field of nature protection shall be permitted in the judicial order, established by the legislation of Turkmenistan.

Article 60. Responsibility for the violation of environmental legislation of Turkmenistan

legal and physical persons, those responsible for violations of environmental legislation of Turkmenistan on the conservation of nature, have a responsibility in accordance with the normative legal acts of Turkmenistan.

Article 61. Responsibility for damages caused to the environment

1. Legal and physical persons, which have caused damage to the environment as a result of its pollution, depletion, damage and destruction, the irrational use of natural resources, environmental degradation and the destruction of ecological systems, natural complexes and natural landscapes and other violations of environmental legislation of Turkmenistan, are under an obligation to repay it in full in accordance with the legislation of Turkmenistan.

2. Compensation for damage caused to the environment as a result of a breach of environmental legislation of Turkmenistan, is carried out voluntarily or by the decision of the court.

3. Compensation for damage caused to the environment as a result of a breach of environmental legislation of Turkmenistan, is carried out in the prescribed manner in accordance with the approved taxes, regulations board for pollution of the environment and methods of computation the amount of damages, as well as their absence compensation for damage shall be made on the actual cost of the obligation breached the restoration of the environment, taking into account costs incurred damages, including lost profits.

Article 62. Compensation for damage to health and property inflicted by citizens as a result of the violation of environmental legislation of Turkmenistan

1. Damage to health and property of the citizens negative effects of the environment as a result of the economic and other activities of legal entities and natural persons, to be reimbursed in full.

2. The determination of the amount of the size and compensation for damage caused by health and property of the citizens as a result of the violation of environmental legislation of Turkmenistan, is carried out in accordance with the legislation of Turkmenistan.

Article 63. The suspension, termination and conversion activities, responding with harmful effects on the environment

1. The activities of legal entities or natural persons, environmentally hazardous sites and facilities may be suspended, and if it is impossible to eliminate the causes harmful effects - discontinued or understood in the following cases:

(1) any harmful effects on the health and living conditions, and the environment; and (2

) threats of harmful affect on the natural environment of an accident or incident; (3)

violations of environmental requirements for the siting, design, construction, reconstruction, entering in the action, and operation of enterprises, organizations, facilities, and other facilities; (4)

violations of environmental requirements when handling chemical, radioactive and biological substances; and (5

) violations of environmental requirements for the protection of nature of waste production and consumption patterns.

2. Decision on the suspension, termination and realigning activities environmentally harmful objects, and proceedings shall be taken in accordance with the legislation of Turkmenistan.

Article 64. Claims on the termination of the activities of environmentally hazardous sites and facilities

legal and physical persons is entitled to appeal to the relevant government authorities on the termination of the activities of environmentally hazardous sites and facilities, causing damage to the natural environment, health of the population, property of legal and natural persons.

The decision on the termination of the activities of environmentally hazardous sites and facilities was adopted in accordance with the legislation of Turkmenistan and is the basis for the termination of the activity.

Chapter XV. FINAL PROVISIONS.

Article 65. International cooperation in the field of nature conservation

1. Turkmenistan is the international cooperation in the field of nature protection in accordance with the universally recognized principles and norms of international law and the international treaties to which Turkmenistan in the field of nature conservation.

2. Turkmenistan has participated in international cooperation in the field of nature protection through international treaties and agreements on issues of conservation and sustainable use of natural resources, participation in the activities of international environmental organizations and funds.

силу некоторых законодательных актов Туркменистана» (Ведомости Меджлиса Туркменистана, 2009 г., № 2, ст. 33).

Article 66. The entry into force of the present Law

1. The present Law shall enter into force on the day of its official publication.

2. To recognize no longer in force:

(1) The law of Turkmenistan 12 November 1991 "On the protection of nature" (statements of the United Nations High Council of Turkmenistan, 1991 g., No. 16, art. 174); (2

) of part II of the Act of 18 April 2009, "On the changes, additions and recognition no longer in force some of the legislative acts of Turkmenistan" (Statements Turkmenistan, 2009., 2, art. 33).

The President of Turkmenistan

Turkmen.

, Ashgabat, 1 March 2014.

Translated from the language of Turkmenistan.