



GRATA
INTERNATIONAL

ENVIRONMENTAL LAW

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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.

SERVICES



Advising on environmental protection laws



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



Advising on the statutory requirements for state environmental monitoring



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



Advising on issues related to the application of environmental legislation, including liability for its violations



Assessing the chances of settlement of environmental disputes



Legal support during the execution of administrative procedures related to compliance with environmental legislation requirements



Representing companies in the course of settlement of environmental disputes

EXPERIENCE

- Advice to a major Chinese construction company on the requirements for certain types of waste management in Armenia;
- Advice to a joint enterprise operating in the field of construction projects on the permitting requirements for the usage of grunt fillers in road construction;

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to the needs of their clients***

Legal 500 EMEA 2023

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- Advice to a tobacco manufacturer on possible restrictions on the use of plastic in cigarettes (filters) in Armenia;
- 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 the implementation of employee share schemes in Azerbaijan;
- Advising a European oil company on the 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.;
- 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;
- Representation of the client's interests during the process of undergoing state environmental impact assessment of construction design documentation and ensuring compliance of commissioned construction projects with permitting and design documentation (in terms of environmental safety);
- Advising the client on acceptable land use regimes, including farming, in areas located in water protection and other nature conservation lands;
- Advising China Power International Holding Limited on the restrictions and new requirements in the legislation of the Republic of Kazakhstan with respect to the renewable energy auctions;
- Due diligence for Universal Energy on the matters of regulatory approvals of the Republic of Kazakhstan, PPA and land use rights in relation to the four wind power projects (50MW -100 MW) in the Republic of Kazakhstan;

EXPERIENCE

- Advising on the matters of regulatory and environmental issues of the Republic of Kazakhstan within the due diligence for Zhongman Petroleum and Natural Gas (Gulf) FZE with regards to two target companies in the oil and gas sector;
- Participation in the implementation of the pilot project on Strategic Environmental Assessment (SEA) of the General Development Plan of Astana until 2035;
- Drafting of reviews on environmental legislation of the Republic of Kazakhstan;
- Due diligence of two Kazakhstani oil companies for the presence of all necessary permits required for their activities;
- Advising a major gold mining company on local regulation of environmental impact assessment. Preparing Memorandum on detailed procedure of environment impact assessment and public hearing;
- Advising an American tourist operator on PPP on ecotourism sector, including, but not limited to allocation of land plot, construction on the territory of a specially protected natural area, assisting in drafting relevant legal normative acts, regulating access to the territory and regime of economic activity on the territory of a specially protected natural area;
- Advising a Chinese state provider of export credit insurance on due diligence of refinery industry legal environment. The scope of work includes questions on environment impact assessment, requirement of the local law;
- Environmental due diligence: verification and development of local documents, analysis of the enterprise in order to identify risks associated with violations of legislation, including issues of emissions of pollutants into the environment;
- Protection of interests of a Moldovan company in courts on a case related to an environmental permit;
- Representation of the client's interests during inspections by authorised state bodies, appealing their decisions and actions;
- Advised on legal requirements of detailed environmental impact assessment, hydrological survey and water use related permit;
- Advised on general legal regulatory framework on land title for foreign invested company and its procedure to transfer the land title from local possessor to foreign invested legal entity;
- Presented "International and local environment, social and governance (ESg) regulatory framework to representatives of construction companies;



EXPERIENCE

- Preparation of a legal opinion for an export grain terminal at the request of the Federal Service for Supervision of Natural Resources on voluntary compensation for damage caused to a water body;
- Successful cassation appeal against a court decision to recover from an industrial enterprise a payment for negative impact on the wastewater disposal system;
- 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;
- Successfully representing the Client (Russian division of a global construction brand) in a case involving recovery of over RUB 4.5 million as unjust enrichment from the Department of Rosprirodnadzor (Federal Service for Supervision of Natural Resources);
- Judicial defence of the client's interests in a case challenging the administration's resolution on changing the type of permitted use of land plots of a capital construction facility (determining the size of the sanitary protection zone);
- Advising and renewal of permit documents for local juice producer on legislation of Turkmenistan in the field of environmental protection;
- Preparation of legal analysis of perspectives for the development of legislation in the sphere of waste management in Ukraine based on the requirements of the Association Agreement;
- 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;
- 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 an Anglo-Russian precious mining company on establishing a local joint venture and other corporate matters.



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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: Armenia (Yerevan), Belarus (Minsk), Azerbaijan (Baku), Cyprus (Limassol), Georgia (Tbilisi), Kazakhstan (Aktau, Almaty, Atyrau, Astana and other cities), Kyrgyz Republic (Bishkek), Moldova (Chisinau), Mongolia (Ulaanbaatar), Russia (Moscow, St. Petersburg, Rostov-on-Don, Samara), Tajikistan (Dushanbe), Turkmenistan (Ashgabat), Turkey (Istanbul), UAE (Dubai), Ukraine (Kyiv) and Uzbekistan (Tashkent).

In addition to its offices, GRATA International has representatives in the UK (London), Germany (Frankfurt), the USA (New York), China (Beijing), Switzerland (Zurich).

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



> 22

countries of presence



> 32

years of experience



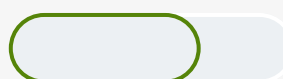
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professionals



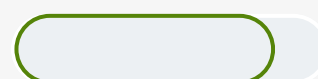
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practice areas



14 500+

clients



37 300+

projects



Global Presence



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