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Environment

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 liability for violations of environmental requirements;
- ▶ Assessing the chances of settlement of environmental disputes;
- ▶ Representing companies in the course of settlement of environmental disputes.

Brochures:



References

- ▶ [Lufthansa](#)

Industries

[CONSTRUCTION & INFRASTRUCTURE](#)

[MINING](#)

[OIL & GAS](#)

[PHARMACEUTICALS & HEALTHCARE](#)

[TRANSPORT](#)

Experience

Armenia

- ▶ Advice to a major Chinese construction company on the requirements for certain types of waste management in Armenia;
- ▶ Provision of legal support and representation services to a metal mining company in the process of application for water usage permits for industrial purposes;
- ▶ 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;

- ▶ Legal support to a regional construction company with drafting and execution of the topsoil preservation agreements with corresponding community administrations in accordance with the requirements of Armenian legislation;
- ▶ Comprehensive legal support to a gold mining company by outlining the requirements for the environmental impact assessment studies stipulated by the relevant legislation;
- ▶ Advice to a mining company with the issues related to the potential impact of changes in the mining agreement on the necessity of conducting a new environmental assessment study;
- ▶ Successful representation of the interest of the client in the legal proceedings initiated by the state based on the alleged illegal mining activity;
- ▶ Advice to a tobacco manufacturer on possible restrictions on the use of plastic in cigarettes (filters) in Armenia.

Azerbaijan

- ▶ 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.

Belarus

- ▶ Representation of the client's interests during inspections by authorised state bodies, appealing their decisions and actions, including on the issues of prosecution for violation of the legislation governing waste management and disposal;
- ▶ Environmental due diligence: verification and development of local documents (instructions for the management of production waste; orders on the appointment of officials (authorised) persons responsible for the management of production waste; documents confirming the accounting of production waste) analysis of the enterprise in order to identify risks associated with violations of legislation, including issues of emissions of pollutants into the environment;
- ▶ Legal advising on the statutory requirements for obtaining permits from state bodies (permits for storage and disposal of industrial waste, integrated environmental permits, etc.);
- ▶ Representation of the client's interests in the process of passing the environmental impact assessment during the commissioning of construction projects;
- ▶ Legal support of medical waste disposal procedures;
- ▶ Legal support for the procedures of disposal of industrial waste, including the safe destruction of samples and forms containing information on intellectual property;
- ▶ Advising the customer on acceptable land use regimes, including farming, in areas located in water protection and

other nature conservation lands.

China

- ▶ Advising on the matters of the environmental law of the Republic of Kazakhstan within the due diligence for the Chinese company in relation to the potential Kimpersay Energy 300 MW wind farm project;
- ▶ 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;
- ▶ 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;
- ▶ Advising China Power International Holding Limited on the matters of land use rights, PPA, regulatory approvals for wind power stations of the Republic of Kazakhstan within the due diligence in relation to the potential Shokpar 100 MW wind farm project.

Kazakhstan

- ▶ Drafting of legislative and subordinate acts on strategic environmental assessment and environmental impact assessment;
- ▶ Drafting of reviews on environmental legislation of the Republic of Kazakhstan;
- ▶ Drafting of standards, methodologies and reference materials in the field of environmental legislation;
- ▶ Protection of the interests of an oil company in court regarding compensation for environmental damage caused by unlawful emissions;
- ▶ Successful protection of the interests of a trading company in court regarding phytosanitary requirements imposed on the packaging of goods;
- ▶ Successful protection of the interests of a Kazakhstani company in court regarding payments for waste disposal in the environment;
- ▶ Protection of the interests of a Kazakhstani service company in court regarding environmental permits;
- ▶ Due diligence of two Kazakhstani oil companies for the presence of all necessary permits required for their activities;
- ▶ Due diligence of a cigarette manufacturing company's compliance with the legislation on industrial safety and environmental protection;
- ▶ Advising of a foreign company on legal requirements for flaring associated and natural gas during electricity production;
- ▶ Drafting of a memorandum on the conditions for obtaining a greenhouse gas emission quota for a power plant;
- ▶ Due diligence of a Kazakhstani company's plant on the availability of all licenses and permits for a thermal power plant, as well as compliance of the plant with Kazakhstani environmental legislation;
- ▶ Drafting of a comprehensive legal opinion on risk assessment in the field of waste management;

- ▶ Successful protection of the interests of an oil company in court regarding losses of associated gas;
- ▶ Protection of the interests of a major natural monopoly entity in court regarding fines and claims for environmental damages caused by emissions of pollutants;
- ▶ Due diligence of an oil company during the transfer of its share to another person;
- ▶ Due diligence of the activities of companies involved in the construction and operation of power plants using renewable energy sources, including compliance with the environmental legislation of the Republic of Kazakhstan;
- ▶ Advising of a large metallurgic company on the sale of coal beneficiation waste for processing and production of finished product;
- ▶ Advising a large tobacco manufacturer on the collection and processing of tobacco heating systems in accordance with environmental legislation of the Republic of Kazakhstan;
- ▶ Advising a Kazakhstani company on the construction of a hotel complex on the territory of a specially protected natural area.

Moldova

- ▶ 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.

Mongolia

- ▶ Advising the client on getting approval on the detailed environmental impact assessment report;
- ▶ Advising the client on getting toxic chemicals storage room permit for heavy mining equipment maintenance service provider;
- ▶ Advising the client on environmental obligations of the toxic chemicals user.

Russia

Rostov-on-Don:

- ▶ 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;
- ▶ Advising an industrial enterprise on payment for a negative impact on the sewerage 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.

St. Petersburg:

- ▶ Protecting client's interests in a dispute with the Federal Supervisory Natural Resources Management Service on additional penalties for negative environmental impact.

Turkmenistan

- ▶ Advising and renewal of permit documents for local juice producer on legislation of Turkmenistan in the field of environmental protection.

Uzbekistan

- ▶ Advising a leading Japanese natural resources company on obtaining licenses for geological exploration and mining, the process of obtaining the authorized body's statement on Environmental Impact Assessment;
- ▶ Conducting due diligence for a leading Russian public petroleum corporation in the process of preparation for acquisition of a tyre plant, advising on potential environmental risks based on the authorised body's statement on Environmental Impact Assessment;
- ▶ Advising a leading French uranium company on subsoil, licensing, environmental protection, tax, commercial, corporate laws of the Republic of Uzbekistan in connection with establishment of a Joint Venture with the Government of Uzbekistan for exploration and development of uranium deposits;
- ▶ Advising a leading European NYSE-listed petroleum corporation on subsoil, environmental, health and safety, licensing in connection with a potential hydrocarbon exploration and development project with the State;
- ▶ Advising a foreign investor on the regulation of alternative energy sources, applicable environmental laws and regulations in connection with construction of three solar power stations.

Key contacts



Issam Dahman

Managing Partner

- 📍 Dubai, UAE
- ☎ +971 56 656 4745
- ✉ idahman@gratanet.com



Ikbal Said Alauddin

Managing Partner

- 📍 Ashgabat, Turkmenistan
- ☎ +993 6105 0586
- ✉ isaidalauddin@gratanet.com



Nasos A. Kyriakides

Managing Partner of Nasos A. Kyriakides & Partners LLC

- 📍 Limassol, Cyprus
- ☎ +357 25 35 2352
- ☎ +357 99 46 8169
- ✉ nkyriakides@gratanet.com



Nune Hayrapetyan

Partner, Attorney at Law

- 📍 Yerevan, Armenia
- ☎ +374 9460 0210
- ✉ nhayrapetyan@gratanet.com



Mykola Aleksyuk

Partner

- 📍 Kyiv, Ukraine
- ☎ +38 050 932 62 19
- ✉ maleksiuk@gratanet.com



Aleksandra Levenkova

Partner

- 📍 Samara, Russia
- ☎ +7 927 703 3919
- ✉ alevenkova@gratanet.com



Kaan Gök

Senior Partner

- 📍 Istanbul, Turkey
- ☎ +90 (212) 465 66 99
- ☎ +90 (532) 246 25 27
- ✉ kaan.gok@gratanet.com



Vyacheslav Khorovskiy

Managing Partner

- 📍 Moscow, Russia
- ☎ +7 495 660 1184
- ☎ +7 985 924 2246
- ✉ vkhorovskiy@gratanet.com



Oleg Shevtsiv

Partner

- 📍 Saint Petersburg, Russia
- ☎ +7 (812) 384 4838
- ✉ OShevtsiv@gratanet.com



Liya Akzhanova




Partner, Deputy Head of GRATA in Astana, Director of regional development

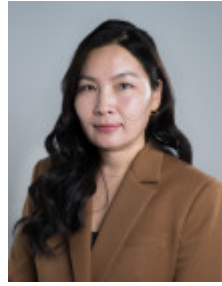
- 📍 Kokshetau, Kazakhstan
- 📍 Kostanay, Kazakhstan
- 📍 Taldykorgan, Kazakhstan
- 📍 Ust-Kamenogorsk, Kazakhstan
- ☎ +7 701 523 84 68
- ✉ lakzhanova@gratanet.com



Ainura Takeyeva





Counsel

-  Aktau, Kazakhstan
-  +7701555 8761
-  atakeyeva@gratanet.com



Bolormaa Volodya




Partner

-  Ulaanbaatar, Mongolia
-  +976 990 850 31
-  +976 701 550 31
-  bvolodya@gratanet.com



Igor Stepanov




Managing Partner, Attorney at law

-  Rostov-on-Don, Russia
-  +7 928 229 9596
-  istepanov@gratanet.com



Madina Sagatova




Partner

-  Atyrau, Kazakhstan
-  +7701789 1669
-  msagatova@gratanet.com



Sofia Roinishvili

Partner

-  Tbilisi, Georgia
-  +995 32 292 1878
-  sofia.roinishvili@gratanet.com



Igor Popa

Senior Partner, Representative of GI
in Europe

-  Chisinau, Moldova
-  Frankfurt on Main, Germany
-  +49 151 61106970
-  ipopa@gratanet.com



Gulnur Nurkeyeva





Managing Partner

-  Beijing, China
-  +86 10 85 098 768
-  +86 188 11 037 374
-  gn@gratanet.com



Kamoliddin Mukhamedov


Partner

-  Dushanbe, Tajikistan
-  +992 44 620 4163
-  +992 93 555 8450
-  kmukhamedov@gratanet.com



Elvira Maratova





Partner

-  Bishkek, Kyrgyzstan
-  +996 312 31 4050
-  +996 770 01 7171
-  emaratova@gratanet.com



Leila Makhmetova

Partner, Director of Environmental
Law Department

-  Almaty, Kazakhstan
-  +7 775 030 0009
-  +7 701 221 9016
-  lmakhmetova@gratanet.com



Maxim Lashkevich

Partner

- 📍 Minsk, Belarus
- ☎ +375 29 662 94 66
- ✉ mlashkevich@gratanet.com



Ummi Jalilova

Managing Partner, Director of Baku office

- 📍 Baku, Azerbaijan
- ☎ +994 51 855 5145
- ✉ ujalilova@gratanet.com



Bakhodir Jabborov

Managing Partner

- 📍 Tashkent, Uzbekistan
- ☎ +9 (9871) 230 2422
- ☎ +9 (9890) 970 8390
- ✉ bjaborov@gratanet.com
- ✉ tashkent@gratanet.com



Samat Daumov

Partner, Director of GRATA International in Astana

- 📍 Astana, Kazakhstan
- ☎ +7 7172 919 555
- ☎ +7 7017610882
- ✉ sdaumov@gratanet.com

International team



Issam Dahman

Managing Partner

- 📍 Dubai, UAE
- ☎ +971 56 656 4745
- ✉ idahman@gratanet.com



Ikbal Said Alauddin

Managing Partner

- 📍 Ashgabat, Turkmenistan
- ☎ + 993 6105 0586
- ✉ isaidalauddin@gratanet.com



Nasos a. Kyriakides

Managing Partner of Nasos A. Kyriakides & Partners LLC

- 📍 Limassol, Cyprus
- ☎ +357 25 35 2352
- ☎ +357 99 46 8169
- ✉ nkyriakides@gratanet.com



Nune Hayrapetyan

Partner, Attorney at Law

- 📍 Yerevan, Armenia
- ☎ +374 9460 0210
- ✉ nhayrapetyan@gratanet.com



Parvina Bashirova

Senior Associate

- 📍 Tashkent, Uzbekistan
- ☎ +9 9871 230 2422
- ✉ pbashirova@gratanet.com



Mykola Aleksiuk

Partner

- 📍 Kyiv, Ukraine
- ☎ +38 050 932 62 19
- ✉ maleksiuk@gratanet.com



Aleksandra Levenkova

Partner

- 📍 Samara, Russia
- ☎ +7 927 703 3919
- ✉ alevenkova@gratanet.com



Kaan Gök

Senior Partner

- 📍 Istanbul, Turkey
- ☎ +90 (212) 465 66 99
- ☎ +90 (532) 246 25 27
- ✉ kaan.gok@gratanet.com



Vyacheslav Khorovskiy

Managing Partner

- 📍 Moscow, Russia
- ☎ +7 495 660 1184
- ☎ +7 985 924 2246
- ✉ vkhorovskiy@gratanet.com



Oleg Shevtsiv

Partner

- 📍 Saint Petersburg, Russia
- ☎ +7 (812) 384 4838
- ✉ OShevtsiv@gratanet.com



Liya Akzhanova

Partner, Deputy Head of GRATA in Astana, Director of regional development

- 📍 Kokshetau, Kazakhstan
- 📍 Kostanay, Kazakhstan
- 📍 Taldykorgan, Kazakhstan
- 📍 Ust-Kamenogorsk, Kazakhstan
- ☎ +7 701 523 84 68
- ✉ lakzhanova@gratanet.com



Ainura Takeyeva

Counsel

- 📍 Aktau, Kazakhstan
- ☎ +7 701 555 8761
- ✉ atakeyeva@gratanet.com



Nurlan Kyshtobaev

Partner

- 📍 Bishkek, Kyrgyzstan
- 📍 Dushanbe, Tajikistan
- ☎ +996 775 58 0081
- ✉ nkyshtobaev@gratanet.com



Dilorom Yuldasheva





Partner, Head of Corporate Practice

- 📍 Tashkent, Uzbekistan
- ☎ +9 9871 230 2422
- ✉ dyuldasheva@gratanet.com



Bolormaa Volodya




Partner

-  Ulaanbaatar, Mongolia
-  +976 990 850 31
-  +976 701 550 31
-  bvolodya@gratanet.com



Dmitry Viltovsky




Managing Partner

-  Minsk, Belarus
-  +375 29 331 1411
-  dviltovsky@gratanet.com



Igor Stepanov




Managing Partner, Attorney at law

-  Rostov-on-Don, Russia
-  +7 928 229 9596
-  istepanov@gratanet.com



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Partner

-  Atyrau, Kazakhstan
-  +7 701 789 1669
-  msagatova@gratanet.com



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-  Tbilisi, Georgia
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-  Chisinau, Moldova
-  Frankfurt on Main, Germany
-  +49 151 61106970
-  ipopa@gratanet.com



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Managing Partner

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-  gn@gratanet.com



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Partner

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-  +992 93 555 8450
-  kmukhamedov@gratanet.com



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-  Almaty, Kazakhstan
-  +7 775 030 0009
-  +7 701 221 9016
-  lmakhmetova@gratanet.com



Maxim Lashkevich

Partner

- 📍 Minsk, Belarus
- ☎ +375 29 662 94 66
- ✉ mlashkevich@gratanet.com



Vladimir Komarov

Managing Partner, Advocate

- 📍 Saint Petersburg, Russia
- ☎ +7 812 384 4838
- ✉ vkomarov@gratanet.com



Ummi Jalilova

Managing Partner, Director of Baku office

- 📍 Baku, Azerbaijan
- ☎ +994 51 855 5145
- ✉ ujalilova@gratanet.com



Bakhodir Jabborov

Managing Partner

- 📍 Tashkent, Uzbekistan
- ☎ +9 (9871) 230 2422
- ☎ +9 (9890) 970 8390
- ✉ bjabborov@gratanet.com
- ✉ tashkent@gratanet.com



Samat Daumov

Partner, Director of GRATA International in Astana

- 📍 Astana, Kazakhstan
- ☎ +7 7172 919 555
- ☎ +7 701761 0882
- ✉ sdaumov@gratanet.com

