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13 May 2009

Ms. Aida Iskoyan
National Focal Point for the Aarhus Convention
Ministry of Nature Protection
Republic Square, 3rd Governmental Building
375010 Yerevan
Armenia
Fax: +374 1/530 669

Dear Ms. Iskoyan,

Re: Decision III/6b of the Meeting of the Parties to the Aarhus Convention concerning compliance by Armenia with its obligations under the Convention

At its twenty-third meeting (March 31 - 3 April 2009), the Aarhus Convention Compliance Committee took note of the progress report submitted by the Government of Armenia on 24 March 2009 pursuant to paragraph 9 of decision III/6b of the Meeting of the Parties to the Convention. It also took note of the accompanying letter from the Minister of Nature Protection of the Republic of Armenia, dated 23 March 2009, expressing Armenia's willingness to follow the recommendations of decision III/6b.

Having considered the information on the implementation of decision III/6b included in the progress report and noting with regret the delay in the submission of the report, the Committee agreed to request the Government of Armenia to undertake a more coherent approach to the development of the legislative framework for public participation in decision-making on the activities referred to in article 6, paragraph 1, of the Convention.

The Committee also made the following recommendations with regard to the progress report to be submitted by the Government of Armenia by the end of November 2009:

1. With regard to paragraph 8 (b) of decision III/6b:

(a) The Government of Armenia is requested to take into consideration paragraph 33 of the Committee's findings and recommendations (ECE/MP.PP/C.1/2006/2/Add.1) while developing legislation for public participation in decision-making on the activities referred to in article 6, paragraph 1, of the Convention. The Committee stresses the importance of not limiting this activity to development of the new Law on Environmental Impact Assessment but also elaborating a more specific procedure in secondary legislation or in the form of guidelines.

(b) In the next progress report, the Government of Armenia is requested to present detailed information on practical implementation of the above public participation procedure, including trainings provided to officials of all the relevant public authorities.

2. With regard to paragraph 8 (c) of decision III/6b, the Government of Armenia is invited to present in the next progress report detailed information on:


(a) The judicial practice of the recently established Administrative Court and its relevance to the measures referred to in paragraph 8 (c) of decision III/6b;

(b) Trainings undertaken on the access to justice pillar of the Convention, as mentioned in the last progress report, and their contribution to ensuring effective access to justice, including the availability of adequate and effective remedies to challenge the legality of decisions on matters regulated by articles 6 and 7 of the Convention.

The Committee took note of the fact that a project is currently ongoing in Armenia under the auspices of the Espoo Convention to strengthen Armenia's legislative framework with respect to environment impact assessment, and requested the secretariat to explore the possibility for synergies between the two Conventions on this matter. From subsequent enquiries, it seems that the Espoo project is at an advanced stage. Nonetheless, insofar as there is overlap between the objectives of that project and the objective of implementing decision III/6b of the Meeting of the Parties to the Aarhus Convention, it would seem to make sense that actions taken by the Government in the follow-up to the Espoo project take into consideration where relevant the goal of implementing the recommendations in decision III/6b.

Please do not hesitate to contact the secretariat (public.participation@unece.org) if you require any further information.

Yours sincerely,



Jeremy Wates
Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Permanent Mission of Armenia to the United Nations Offices in Geneva