

**DECISION  
OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA**

November 19, 2014, # 1325-N

**ON DEFINING THE PROCEDURE OF HOLDING PUBLIC NOTIFICATION AND  
DISCUSSIONS**

Pursuant to Paragraph 9, Article 26 of the Law of the Republic of Armenia “On Environmental Impact Assessment” , the Government of the Republic of Armenia hereby ***decides***:

1. To define the procedure of holding public notification and debates in accordance with the Addendum.
2. This decision shall enter into force on the tenth day following its official promulgation.

**Prime Minister of the Republic of  
Armenia**

**H. Abrahamyan**

November 27, 2014.  
Yerevan

**Addendum  
to Decision #1325-N of the RoA  
Government of Nov. 19, 2014**

**PROCEDURE**

**OF HOLDING PUBLIC NOTIFICATION AND DISCUSSIONS**

**I. GENERAL PROVISIONS**

1. This procedure shall regulate relationships, related to the procedure of strategic assessment of the environmental impact of the fundamental document and notification, discussions and hearings (hereinafter, discussions) on assessment and expertize of the environmental impact of all categories of the planned [anticipated] activity.
2. The public notification and discussions shall be held during the preliminary and

basic assessments of environmental impact, in the preliminary and basic stages of expertize.

3. Public notification and discussions at the first and second stages, as prescribed by Articles 12, 13 and Paragraph 3, Part 2, and Paragraphs 2, 3, Part 5 of Article 26 of the Law of the Republic of Armenia “On the Environmental Impact Assessment” (hereinafter, the Law), shall be held jointly with the initiator:

1) in case of the fundamental document, by *Marzpet* (provincial governor); in the town of Yerevan, by Mayor of Yerevan or head of a relevant affected administrative district; and in case of the planned [anticipated] activity, head of the affected community (hereinafter, the person, responsible for discussions).

4. The second and fourth stages of public notification and discussions, as stipulated by Paragraph 9, Part 1 of Article 10 and Paragraph 6, Part 1 of Article 11, of the Law, shall be held by the impact assessment center (hereinafter, assessment center) and person, responsible for discussions, with participation of the initiator.

5. In case if the number of affected communities is more than one, arrangement of the public notification and discussions jointly with the initiator shall be held by the head of the community, within the administrative borders of which the given activity is initiated, arranging participation of representatives of all affected communities.

6. Affected communities shall be chosen by the assessment center at the preliminary stage, which shall be registered in the terms of reference.

7. In case if it is anticipated to carry out the given activity within administrative borders of more than one communities, the public notification and discussions shall be arranged jointly by the initiator and heads of communities.

8. In case of change of the place, day and hour of public discussion, the organizer shall notify public in advance, as stipulated by this procedure.

9. Public may in advance register by e-mail to participate in discussions. In case of change of the place, day and hour of discussions, all registered persons shall be notified in advance as response to their e-mails.

10. Collection of public opinions on the fundamental document and anticipated activity shall be carried out by means of public discussions. Public may also present written remarks and proposals (opinions) in compliance with these procedure and terms.

## **II. PROCEDURE OF PUBLIC NOTIFICATION AND DISCUSSIONS**

11. Public notification shall be made by mass media, e-mail, statements.

12. Notification shall contain data on the initiator, fundamental document or place of holding the anticipated activity, probable impact on the environmental components, place, day and hour of familiarization with documents, terms for submitting remarks and proposals, e-mail address and telephone number of the person, responsible for discussions.

13. After receiving documents of a relevant stage, the person, responsible for discussions, in pursuance to Articles 12, 13, Paragraph 3, Part 2 of Article 26 of the Law shall place the notification at his /her official website within a period of three working

days, post on special boards for statements at his/her residence and public buildings, promulgate in the official newspaper of the Republic of Armenia at least seven working days prior to discussions.

14. The electronic version of relevant documents of each stage shall be placed in the electronic website of the person, responsible for discussions, and the printed version at the residence of the person, responsible for discussions; as for the documents of assessment stages, they shall be placed in the electronic website and at the residence of the assessment center.

15. Public may submit written remarks and proposals:

1) at the preliminary stage of expertize, in the period of seven working days following notification;

2) at the stages of preliminary assessment, basic assessment and basic expertize:

a. for the fundamental document and types of A category activity: within the period of 15 working days following the notification,

b. for B category: within the period of 10 working days following the notification,

c. for C category (preliminary assessment stage): within the period of 10 working days following the notification.

16. The place, day and hour of the first and third stage discussions shall be decided by the person, responsible for discussions, jointly with the initiator; in the case of second and fourth stages, relevant decision shall be made by the assessment center jointly with the person, responsible for discussions.

17. At the stages of assessment the environmental impact, the assessment center shall place electronic versions of documents, related to the fundamental document, or documents, related to the anticipated activity, and the summary of documents, written in the technical language.

18. Public discussions shall be moderated by the person, responsible for discussions, or a person, authorized by him or her, to ensure a proper video recording and documenting the full process of discussions. Public discussions may be video-recorded by other participants and presented to the assessment center.

19. Specialists of the given sphere may be invited to public discussions.

20. Place, day and hour, list of participants, as well as all remarks and proposals, made in the process of discussions, shall be mentioned in the protocol of public discussions. The protocol shall be signed by the moderator, secretary, person, responsible for discussions and initiator. The list of participants with signatures shall be attached to the protocol.

21. Answers to all verbal questions, raised by public in the process of discussions, shall be given immediately by initiator, person, responsible for discussions, specialist of the assessment center; and the written questions, made within the terms, envisaged by point 15 of this procedure, shall be answered in the period of 10 working days.

22. The person, responsible for discussions, shall present the protocol and video-record of public discussions to the assessment center in the period of 5 working days following the discussion.

23. In the period of three working days after receiving the protocol and video-record of

public discussions, the assessment center shall place it in its official website.

24. Reasonable remarks and proposals, made by public, shall be taken into account by the initiator and assessment center. Remarks and proposals, contradicting the requirements of the current legislation, and having no relation to the environmental impact, as well as incorrect calculations or data, shall not be taken into account; in that connection grounded justifications shall be provided.

25. Protocols of discussions, held in the preliminary assessment process, and the relevant video-record medium, grounded answers given to public remarks, shall be attached to the application.

26. Protocols of discussions, held in the basic assessment process, and the relevant video-record medium, grounded answers given to remarks, made by public, shall be included into reports.

27. Protocols, video-records of discussions, public remarks and proposals shall be preserved with relevant documents in compliance with the procedure and terms, prescribed by the Law of the Republic of Armenia "On the Archives Business."

28. Public discussion on the fundamental document or anticipated activity, related to the *Marz* (province), shall be held in the relevant regional council building. If the public discussion is related to the impact on environment of any community, it shall be organized in the residence of the head of the given community or, by the choice of the person responsible for discussions, on the territory or other place of public importance of the relevant *Marz* or community. Public discussions of the fourth stage may be held in the town of Yerevan as well.

29. Public opinion shall be considered positive, if nobody has been present at discussions or no remarks or proposals have been presented.

### **III. ARRANGEMENT OF NOTIFICATION AND PUBLIC DISCUSSIONS OF THE FUNDAMENTAL DOCUMENT AND "A", "B", "C" CATEGORIES OF THE ANTICIPATED ACTIVITY AT THE PRELIMINARY STAGE (FIRST STAGE)**

30. In the process of preliminary assessment, in case of intending the elaboration or ordering the fundamental document or planning the activity, for arrangement of joint discussions the initiator shall apply to a person, responsible for discussions, as it is prescribed by Articles 12, 13, Paragraph 6, Part 4 of Article 16 of the Law.

31. In the process of preliminary assessment, the initiator with assistance of the person, responsible for discussions, shall hold public discussions not sooner than on the seventh working day following the notification.

32. Preliminary assessment public discussions shall be arranged in the affected community, in the administrative territory of which points of the fundamental document or the anticipated activity will be implemented.

33. In the process of public discussions, the initiator or his/ her authorized person shall make a detailed presentation of their intention to implement the activity, answer relevant questions.

34. Protocols and the medium of video-recording of discussions, made in the process of preliminary assessment, as well as the summary list, prepared by the initiator as regards to proposals and remarks on the matter with justification of their acceptance or non-acceptance shall be attached to the application; and the reasonable answers to public remarks shall be included into the application and presented to the assessment center for preliminary assessment.

**IV. ARRANGEMENT OF NOTIFICATION AND PUBLIC DISCUSSIONS, RELATED TO A RELEVANT DECISION TO BE ADOPTED ON THE FUNDAMENTAL DOCUMENT AND ANTICIPATED ACTIVITY AT THE PRELIMINARY ASSESSMENT STAGE  
(SECOND STAGE)**

35. The assessment center, as a result of the assessment of application for preliminary assessment of the fundamental document and anticipated activity (“A”, “B”, “C”) at the preliminary expertize stage, shall adopt a draft decision, as envisaged by part 5, article 16 of the Law, and notify on the place, day and hour of their public discussions by means of its official website, at least seven working days before, as stipulated by Paragraph 1, Part 2, Article 26 of the Law.

36. At least seven working days following the notification, the assessment center with assistance of the initiator and person, responsible for discussions, shall hold a preliminary discussion about the draft decision on the results of preliminary assessment.

37. In the process of public discussions, the draft of relevant decision and information about the assessment of application for the anticipated activity, attributed to “C” category, shall be presented by those specialists of the assessment center, who implement preliminary assessment of the given fundamental document or environmental impact of the application for the anticipated activity.

38. Remarks and proposals, received in the process of public discussions, shall be taken into account in decisions, terms of reference, draft assessment conclusion for the anticipated activity; and in case of not taking into account, grounded answers shall be given.

**V. ARRANGEMENT OF NOTIFICATION AND PUBLIC DISCUSSIONS, RELATED TO STRATEGIC ASSESSMENT OF THE FUNDAMENTAL DOCUMENT AND ENVIRONMENTAL IMPACT ASSESSMENT OF THE ANTICIPATED ACTIVITY OF “A”, “B” CATEGORIES AT THE BASIC ASSESSMENT STAGE  
(THIRD STAGE)**

39. At the stage of basic assessment, as a result of the preliminary assessment, in accordance with the terms of reference, given by the assessment center, the initiator shall implement strategic assessment of the environmental impact of the fundamental

document or assessment of the environmental impact of the anticipated activity. In order to engage public into the assessment process, the initiator shall apply to the person, responsible for discussions, to organize notification and public discussions, as stipulated by Articles 12, 13, Paragraph 3, Part 3 of Article 18, Part 5 of Article 26 of the Law.

40. In the process of the basic assessment, at least seven working days following notification, the initiator shall hold public discussions with assistance of the person, responsible for discussions.

41. During the public discussions, the person, making presentation, shall provide a proper and comprehensive information about the fundamental document or assessments of the environmental impact of the anticipated activity and answer all questions, raised by public.

42. In the process of basic assessment, protocols, medium of the video-record of public discussions, grounded answers to remarks, made by public, shall be included into the report.

## **VI. ARRANGEMENT NOTIFICATION AND PUBLIC DISCUSSIONS, RELATED TO EXPERTIZE OF STRATEGIC ASSESSMENT OF THE FUNDAMENTAL DOCUMENT AND ASSESSMENT OF ENVIRONMENTAL IMPACT OF THE ANTICIPATED ACTIVITY OF “A”, “B” CATEGORIES AT THE BASIC ASSESSMENT STAGE (FOURTH STAGE)**

43. The initiator, elaborating or ordering the fundamental document and (or) initiating the anticipated activity, as required by the procedure, envisaged by the law, shall present the report with attached documents, prepared in accordance with the technical reference, to the assessment center.

44. The assessment center not sooner than on the 20<sup>th</sup> day after receiving opinions and conclusions on reports and attached documents, shall place the electronic versions of reports in its official website and in the same period, as stipulated by the established procedure, shall send to the person, responsible for discussions, to organize the public notification and discussions in pursuance of Articles 12, 13, Part 2, Paragraph 5 of Part 3 of Article 19 and Article 26 of the Law.

45. In case of necessity to revise reports on strategic assessment of the fundamental document or assessment of environmental impact of the anticipated activity, the terms of public notification and public discussion shall be prolonged respectively. In this case the public notification and discussion shall be held after the presentation of reviewed documents.

46. At least seven working days after the notification, the assessment center with assistance of the person, responsible for discussions, and the initiator, shall hold public discussions.

47. In the process of public discussions, specialists of the assessment center shall submit a proper and comprehensive information about the assessment of environmental impact of the fundamental document or anticipated activity, answer the questions, raised by the public.

48. The person, responsible for discussions, the assessment center within the terms, envisaged by this procedure, shall receive written remarks and proposals from public. The person, responsible for discussions, shall submit the received opinions and conclusions with the protocol and video-record to the assessment center within a period of three working days.

49. The assessment center shall place all expert conclusions on the environmental impact of the fundamental documents and anticipated activities of all categories in its official website within a period of seven working days after providing them to the initiator.

**Minister, Chief of the  
Government Staff of the Republic  
of Armenia**

**D. Haroutyunyan**