

## **Progress Report on Implementation of the Recommendations provided by the Decision VI/8a Compliance by Armenia with its Obligations under the Aarhus Convention**

October 1, 2018

Decision VI/8a Compliance by Armenia with its obligations under the Convention was adopted by the Meeting of Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters at its sixth session in Budva, Montenegro, on 11–13 September 2017.

The Compliance Committee under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters reaffirmed its decision V/9a, and requested the Republic of Armenia to take the necessary legislative, regulatory and administrative measures and practical arrangements to ensure that:

- Thresholds for activities subject to an environmental impact assessment procedure, including public participation, are set in a clear manner;
- Reasonable time frames that are significantly longer than those currently provided for are set for the public to consult and comment on project-related documentation;
- Its legislation, including the law on non-governmental organizations and administrative procedures, complies with article 9, paragraph 2, of the Convention with regard to standing;
- It continues its efforts to raise awareness of the judiciary to promote implementation of domestic legislation in accordance with the Convention.

Armenia is committed to continuing developments and improvements of the legislation and the practice of the country in implementing the environmental democracy.

Armenia entitled environmental associations to file complaints to court as it is envisaged in the Aarhus Convention (Article 9) making amendments in the Administrative Procedure Code and adopting the new Law on NGOs in 2016. The new legislation which has set up restrictions to access to administrative justice in environmental matters entered into force in 2017.

Efforts have been implemented to accelerate the effective implementation of the legislative improvements made to provide standing to NGO-s for environmental justice. The need to achieve effective implementation of the justice in the environmental sector by raising awareness among lawyers and advocates, training judges in the justice sector is recognized.

Apparently, ecologically-minded behavior by the judiciary is a prerequisite for environmental protection and sustainable development.

Legal education on environmental justice has been carried out for advocates of the Republic of Armenia. The agreement was built with the Chamber of Advocates of the Republic of

Armenia to provide training to advocates of the Chamber on the Aarhus Convention, environmental justice and newly adopted environmental justice legislation of the country. The Chamber of Advocates of the Republic of Armenia is an independent, professional, self – governed, non-profit organization. Officially, there are 1957 advocates in RA since 14 September, 2018<sup>1</sup>. That legal education was started with the training of advocates of the Chamber in the regions of Armenia.

The trainings of advocates were carried out in Syunik, Tavush, Shirak and Vayots Dzor regions (marzes) of Armenia. Advocates of Sysyan, Goris, Kapan, Kajaran, Gyumri and Ijevan towns have been trained.

Legal awareness on the amendments in the Armenian legislation on providing *locus standy* to non-governmental organizations for environmental justice was carried out to empower lawyers, litigating advocates. Legal awareness helps to promote consciousness of environmental legal culture, participation in the formation of laws.

The legal education of advocates, comprised a range of training activities intended to build advocates awareness and skills related to environmental law.

The roles that lawyers might play in environmental governance and justice was also discussed with litigating advocates during the trainings, namely: (1) collecting and analyzing environmental information; (2) providing input to agenda-setting and environmental justice policy development processes; (3) performing litigations; and (4) advocating environmental justice.

It is expected to improve the role of lawyers and advocates in environmental justice and public participation.

It is anticipated to improve the knowledge of judges on environmental justice and introduce environmental educational programs for them at the Academy of Justice of the Republic of Armenia, which carries out the training of judges.

The Republic of Armenia Government is in the process of reviewing the existing legislation on EIA and Expertise. The amendments to the Republic of Armenia Law on Environmental Impact Assessment and Expertise will be coherent with the EU Environmental Impact Assessment legislation. The amended legislation will touch problems such as the thresholds for activities subject to an environmental impact assessment procedure, time frames set for the public to consult and comment on project-related documentation and other issues.

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<sup>1</sup> <http://www.pastaban.am/en/about-us/պատմություն.html>

