

## **Observations associated with the decision number VI/8a**

As far as the paragraph of the decision *N VI/8a 3(a)* is concerned, we would like to inform you that the working group established by the order of the Minister of Environment has finished works on drafting the new Law on Environmental Impact Assessment and Expertise. The Draft Law is at the internal circulation stage. The Draft has been discussed on 7 of July of this year during the conference of the Public Council under the Minister of Environment and the Public Council members have suggested to present opinion letter on the draft law within 10 days, which will be discussed in accordance with the procedure and if needed will be included in the Draft law.

It should be noted that no suggestion or remark has been presented by Public Council to the above-mentioned paragraph of the decision *N VI/8a 3(a)*.

It should also be noted that all the actions included in the Annex 1 of the Convention have been subject to the draft Law. Each action has been discussed within the context of the Convention, to the Domestic Legislation and to the actions preserved.

The above-mentioned has been enshrined in the draft Law on EIA prescribed in article 13 “On environmental impact assessment and expertise of provided types of activities”.

Types of activates can be found in the draft attached to the Law, and a table will be presented after the official circulation, where both the Annex to the Convention and each equivalent type of activities covered by this article of the EIA Law can be seen.

- Concerning the paragraph of the decision *N VI/8a 3(b)* we would like to inform you that both the mentioned Government Decision and The draft Law will be reviewed once again and be discussed within the working group of the Law of EIA.
  
- Regarding the paragraph of the Decision *N VI/8a 3(c)* we would like to inform you that the Ministry will continue working with both NGOs and the Ministry of Justice. We would like to remind you once again that no amendments can be made to the Law of NGO by the Ministry of Environment even if so desired, as it is out of its jurisdiction. At the same time, it should be noted that there is a lack of understanding in the draft report submitted by the Compliance Committee regarding Administrative Procedure Code. The article 216.6, of the Administrative Procedure Code defines the grounds for filing a lawsuit by a non-governmental organization and reproduces the same article of the Law on NGOs. However, neither the Code of Administrative Procedure nor other legislative acts of the Republic of Armenia have set a precondition for participation in administrative proceedings for the right to a fair trial.
  - Concerning the paragraph of the decision *N VI/8a 3(d)* we would like to inform you that the full names of the Courts are:
    - Yerevan Residence of the Administrative Court
    - Sevan Residence of the Administrative Court
    - Gyumri Residence of the Administrative Court
    - Vanadzor Residence of the Administrative Court
    - Kapan Residence of the Administrative Court

It should be noted that the draft report submitted by the Compliance Committee will be presented to the Academy of Justice, a proposal will be made to review the lesson hours and the range of issues to be discussed.