

Access to justice in cases related to biodiversity protection



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The two cases, when the Compliance Committee confirmed that the Armenian government violated the provisions of the Aarhus Convention, related to the destruction huge green areas in the capital and in the Teghut Forest in the Lori region of the Republic of Armenia.



[Source: www.hetq.am](http://www.hetq.am)



[Source: www.ampop.am](http://www.ampop.am)

- The Committee finds that the Party concerned failed to inform the public early in the environmental decision-making process and in a timely manner, as required by article 6, paragraph 2, of the Convention. Which means that the public has been deprived of the opportunity to express its objections to the removal of the forest altogether and its defense to the biodiversity timely.
- After destroying the forest, even giving the right to the NGOs to appeal to the courts will not help the animals deprived of their nesting places and the destroyed fauna and flora.

Due to the razing of huge centuries-old green areas and the elimination of trees, including trees listed in the Red Book, shrubs, vegetation, even endemic plant species, the real inhabitants of the area - animals, thousands of reptiles, insects, birds - have been deprived of their habitat and nesting sites.



The animals themselves go to the RA Government for justice.



[Source:](#) Aram Shanoyan's Fb page

Public Environmental Court Ruled Recognized Elimination of Dalma Gardens in Yerevan as Environmental Crime

- With several NGOs (Ecolur, "Armenian Forests", "Green Armenia", etc.), trying to take advantage of the opportunity provided by Article 9 of the Aarhus Convention, to have another independent, impartial, incorruptible and fair trial body apart from the existing court system, which will examine disputes lying under the Convention, in 2020 we ourselves created a Civil court composed of relevant experts, lawyers and well-known respected persons in the country, which in-depth, comprehensively studied the problems related to Dalma Orchards, including the damage to biodiversity. The Verdict was sent to all relevant authorities. Despite the provided evidence and justifications, the RA General Prosecutor's Office, the Government, Yerevan Municipality did not take into account the verdict of that civil court.



The Teghut Forest in the Lori Marz of the Republic of Armenia



- In the case of the Teghut forest mine the ecological disaster is much more dangerous and continuous, because the waters of the river basins adjacent to the mine, contrary to the previously given promises and assurances, are regularly polluted by the mine's production runoff. Many videos are presented to all instances which prove this, but these alarms are not given due attention.
- The Mine's tailing in turn pollutes the environment.

It is impossible for fish to breed in these polluted and poisonous waters.

The rivers have run out of fish stocks.

The relevant authorities and officials that are obliged to follow, draw appropriate conclusions, take measures, do nothing.

It turns out that if they are aware and do not take appropriate measures, it is very bad, if they are not aware, it is the worst.



The so-called EIA implementers do it based only on papers

Small HPPs



Road construction



By building the HPP, the owners did not maintain the necessary conditions for fish spawning and development, some rare fish species have already disappeared or are in danger of extinction.

What should be done?

For the sake of representatives of flora and fauna who cannot protect themselves, and for the sake of our whole planet, we need to:

- develop a strict and strong law,
- have an access to independent expertise,
- facilitate access to environmental information and environmental justice by creating an open international platform with free access,
- train the magistrates to appraise the documents to bring them to make decisions more from the angle of environmental forensics ,
- create an environmental ombudsman for each court of appeal, with the profile of an expert environmentalist or ecologist, and of a mediator specializing in environmental issues.
- have a good and close cooperation.

Let's think and act together to help our common Earth!

Thank you!

Questions?

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