

GOVERNMENT OF THE REPUBLIC OF ARMENIA

DECISION

No 2343-N of 28 December 2023

ON MAKING AN AMENDMENT TO DECISION OF THE GOVERNMENT  
OF THE REPUBLIC OF ARMENIA NO 1325-N of 19 NOVEMBER 2014

Guided by Article 34 of the Law of the Republic of Armenia "On regulatory legal acts",  
the Government of the Republic of Armenia *decides*:

1. Decision of the Government of the Republic of Armenia No 1325-N of 19 November 2014 "On defining the procedure for public notification and holding of public discussions" shall read as follows:

"GOVERNMENT OF THE REPUBLIC OF ARMENIA

DECISION

No 1325-N of 19 November 2014

ON DEFINING THE CONTENT OF THE PUBLIC NOTICE AND NOTIFICATION  
OF PUBLIC HEARINGS, THE PROCEDURE FOR PUBLIC HEARINGS,  
THE PROCEDURE AND TIME LIMITS FOR PRESENTING OPINIONS, COMMENTS  
AND SUGGESTIONS OF THE INTERESTED PUBLIC IN THE PROCESS  
OF ENVIRONMENTAL IMPACT ASSESSMENT AND EXPERT EXAMINATION,  
EXPRESSING BY THE LOCAL SELF-GOVERNMENT BODIES THEIR PRELIMINARY  
AGREEMENT OR DISAGREEMENT

Guided by point 7 of part 1 of Article 8 of the Law of the Republic of Armenia "On environmental impact assessment and expert examination", the Government of the Republic of Armenia *decides*:

1. to define the content of the public notice and notification of public hearings, the procedure for public hearings, the procedure and time limits for presenting opinions, comments and suggestions of the interested public in the process of environmental impact assessment and expert examination, expressing by the local self-government bodies their preliminary agreement or disagreement, pursuant to the Annex.

**Annex**

**to Decision of the Government  
of the Republic of Armenia**

**No 1325-N of 19 November 2014**

**CONTENT OF THE PUBLIC NOTICE AND NOTIFICATION OF PUBLIC HEARINGS,  
PROCEDURE FOR PUBLIC HEARINGS, PROCEDURE AND TIME LIMITS  
FOR PRESENTING OPINIONS, COMMENTS AND SUGGESTIONS  
OF THE INTERESTED PUBLIC IN THE PROCESS OF ENVIRONMENTAL IMPACT  
ASSESSMENT AND EXPERT EXAMINATION, EXPRESSING BY THE LOCAL SELF-  
GOVERNMENT BODIES THEIR PRELIMINARY AGREEMENT OR DISAGREEMENT**

**1. GENERAL PROVISIONS**

1. This Annex shall regulate the legal relations pertaining to defining the content of the public notice and notification of public hearings, the procedure for public hearings, the procedure and time limits for presenting opinions, comments and suggestions of the interested public on the SEA or EIA, expressing by the local self-government bodies their preliminary agreement or disagreement in the process of environmental impact assessment and expert examination of the draft fundamental document and design document of the strategic environmental assessment (hereinafter referred to as "SEA") or the proposed activity and the environmental impact assessment (hereinafter referred as "EIA") and expert examination provided for by the Law "On environmental impact assessment and expert examination" (hereinafter referred to as "Law").
2. The processes of giving public notice, notification of public discussions (hereinafter referred to as "notification"), participation of the public shall be organised and carried out in accordance with the requirements prescribed by law and this Annex.
3. Notification shall be provision of information to the participants of the EIA, SEA

and expert examination process within the scope of the process provided for by points 10, 31 and 32 of this Annex for the purpose of organising and holding public hearings on the performance of the proposed activity or adoption of the fundamental document.

4. Public hearings aim to ensure the participation of the interested public in the decision-making in the SEA or EIA and expert examination processes.
5. The participation of the interested public in the decision-making shall be ensured through notification and public hearings, in the assessment and expert examination processes for the draft fundamental document and the SEA report or the design documents of the proposed activity and the EIA report.
6. Public hearings shall be organised and held in the public buildings and premises.
7. During public hearings the interested public shall participate in the assessment and expert examination processes by presenting opinions, comments and suggestions. At public hearings the interested public shall — within the time limits prescribed by law — have the right to present to the body developing and implementing the Government policy in the field of ensuring the state expert examination of environmental impact (hereinafter referred to as "authorised body") and the initiator any written or oral suggestion, comment and opinion, without any justification for underlying reasons.
8. The public opinion shall be considered as positive where no one appears at the hearings (except for failure to appear due to events of force majeure or non-observance of the procedures for giving notification to the interested public and hearings prescribed by the legislation), or no written or oral opinion, comments or suggestions are presented.
9. The Law shall provide for 2 public hearings:
  - (1) the first public hearing shall be held by local self-government bodies at the stage where preliminary agreement or disagreement is expressed;

- (2) the second public hearing shall be organised and held during the expert examination by "Environmental Impact Expertise Center" State Non-Governmental Organisation (hereinafter referred to as "Expertise Center") operating within the system of the authorised body.

**2. CONTENT, PROCEDURE FOR GIVING NOTIFICATION AND NOTICE  
OF THE FIRST PUBLIC HEARING, PROCEDURE AND TIME LIMITS  
FOR PRESENTING OPINIONS, COMMENTS AND SUGGESTIONS  
OF THE INTERESTED PUBLIC IN THE PROCESS OF ENVIRONMENTAL IMPACT  
ASSESSMENT, EXPRESSING BY LOCAL SELF-GOVERNMENT BODIES  
OF PRELIMINARY AGREEMENT OR DISAGREEMENT**

10. The territorial administration bodies, local self-government bodies and initiator shall inform the interested public of the proposed activity, expert examination process via official websites and other means of information dissemination (press, other mass media outlets, boards of local self-government bodies, territorial administration bodies, public buildings) to ensure the participation of the interested public in the EIA process.
11. The content of the notice shall include general information briefly describing the performance of the proposed activity, as well as information on terms for participation of the interested public in the designated public hearing.
12. For the purpose of holding the first public hearing the initiator intending to carry out the proposed activity prescribed by Article 12 of the Law shall notify in writing the head of the community, within the administrative boundaries of which the activity shall be carried out.
13. The notification shall include the following:
  - (1) name and place of residence (registered office) of the initiator;
  - (2) name of the proposed activity in accordance with Article 12 of the Law, the

purpose, brief description thereof;

- (3) venue of the proposed activity carried out.
14. The head of the community shall — within five working days after receiving the notification of the initiator — deliver a notification to the interested public which includes the following:
- (1) information prescribed by sub-points 1-3 of point 13 of this Annex;
  - (2) the venue, day and time for holding the public hearing;
  - (3) information on the time limit for the interested public to present suggestions, comments and opinions;
  - (4) information on all options (forms) for the interested public to present suggestions, comments and opinions;
  - (5) details of the person appointed or authorised by the head of the community for the public hearing concerned within the scope of the powers of the head of the community, who is responsible for organising and holding a hearing (name, surname, position, e-mail address and phone number).
15. The venue, day and time for holding the public hearing shall be determined by the head of the community, jointly with the initiator.
16. Prior to giving notification to the public, the head of the community shall provide the information subject to notification to the initiator to post it on the official website thereof (if any).
17. The head of the community shall publish the notification on public hearings in the press and other mass media outlets with a print run of at least three thousand copies, post it on the announcement board of marzpetaran or of the seat of local self-government bodies of the affected community and the seat of administrative head of the affected settlement or of public buildings (cultural, art, scientific, educational, training buildings), publish it on the official websites of the local self-government

bodies of the affected community, official websites of the initiator (if any).

18. The head of the community shall hold a public hearing in the affected settlement not earlier than on the 21st and not later than on the 25th working day after the day of notification.
19. Where the number of affected settlements is more than one, the public hearing shall be organised in the settlement where the proposed activity is envisaged to be carried out, by ensuring the participation of the representatives of all affected settlements. Where the proposed activity is carried out in more than one settlement, the public hearing shall be organised in each of these settlements by ensuring the participation of representatives of all affected settlements.
20. Where the head of the community or the initiator changes the venue, day or time for holding the public hearing (jointly agreed) by observing the time limits prescribed by point 18 of this Annex, the head of the community shall — within at least 10 working days before the day of holding a public hearing — inform the public thereof by the means provided for by point 17 of this Annex, as well as the return e-mail to those registered by-email.
21. The suggestions, comments and opinions of the interested public presented in writing or electronically shall be submitted within 20 working days after the notification referred to in point 14 of this Annex.
22. The interested public may be registered for participation in discussions in advance by the e-mail of the person provided for by sub-point 5 of point 14 of this Annex.
23. The public hearing shall be held by the head of the community or the person appointed or authorised by the head of the community within the scope of his or her powers and responsible for that public hearing who organises the recording, photographing or audio and video recording of the entire process of the hearing. The public hearing may be photographed or audio and video recorded also by other

participants.

24. All opinions, comments and suggestions voiced orally by the interested public during the hearing shall be responded immediately by the initiator or the moderator, and where it is impossible, a clarification on presenting the response in writing shall be submitted.
25. In addition to opinions, comments and suggestions voiced orally, the opinions, comments and suggestions submitted within the time limit prescribed by point 21 of this Annex shall also be discussed during the public hearing, regardless whether their author has attended the public hearing. Where the author has not attended the public hearing, the response to the opinion, comment or suggestion shall be given through contact point within 5 working days after the hearing.
26. The minutes of the public hearing which shall be drawn up within 3 working days from the day of hearing shall state the venue, day and time of the hearings, the composition of the participants, as well as all opinions, comments and suggestions voiced in the hearings, as well as responses and observations made with regard thereto. The minutes shall be signed by the moderator and initiator. The list of participants with their signatures shall be attached to the minutes.
27. The head of the community shall submit the minutes, photographs or audio and video recordings to the Council of Elders of the community and the initiator within 5 working days after the public hearing.
28. The Council of Elders of the community shall — within 30 working days after the public hearing — adopt a decision on expressing preliminary agreement or disagreement on carrying out the proposed activity which should contain justifications for its reasons, including the exclusions (if any) referred to in point 8 of this Annex.
29. The head of the community shall — within a period of 5 days after the day the council of elders of the community renders a decision, and in the case prescribed by



part 13 of Article 16 of the Law "On self-governance" — within a period of 3 days after the decision of the council of elders of the community enters into force — submit to the authorised body and the initiator the decision of the council of elders, the minutes, photographs or audio and video recordings of the public hearings, as well as the opinions, comments and suggestions of the interested public, if any.

30. In case of holding hearings in more than one community, the disagreement by at least one community shall be considered as disagreement on the proposed activity.

**3. CONTENT OF, PROCEDURE FOR GIVING NOTIFICATION AND NOTICE  
OF THE SECOND PUBLIC HEARING, PROCEDURE AND TIME LIMITS  
FOR PRESENTING OPINIONS, COMMENTS AND SUGGESTIONS  
OF THE INTERESTED PUBLIC DURING THE EXPERT EXAMINATION**

31. The authorised body, territorial administration bodies, local self-government bodies and initiator shall give notice to the interested public of the draft fundamental document or the design document of the proposed activity, expert examination process via official websites and other means of information dissemination (press, other mass media outlets, boards of local self-government bodies and territorial administration bodies, public buildings) to ensure the participation of the interested public in the process of expert examination.
32. The content of the notice shall include general information briefly describing the adoption of the fundamental document or the performance of the proposed activity, as well as information on terms for participation of the interested public in the designated public hearing.
33. In the process of expert examination the public hearing shall be held by the Expertise Center, jointly with the head of the community, with the participation of the initiator.

34. In the process of expert examination the affected community or settlement shall be determined by the Expertise Center based on the results of examination of the draft fundamental document and SEA report or project of the proposed activity and EIA report. In the process of expert examination the Expertise Center shall — after receiving the professional or expert opinion, or the opinion submitted by the relevant body of the state administration system, territorial administration and local self-government bodies, and where revision is needed — after receiving the package revised by the initiator as prescribed by the legislation — inform the head of the community and the initiator of that decision within 5 working days.
35. The venue, day and time for holding the public hearing shall be determined by the Expertise Center, jointly with the head of the community and the initiator.
36. In the process of expert examination the Expertise Center shall — within 7 days after receiving the professional or expert opinion, or reasoned opinion submitted by the relevant body of the state administration system, territorial administration and local self-government bodies, and where revision is needed — after receiving the package revised by the initiator as prescribed by the legislation — give notification of holding a public hearing.
37. The notification shall be published in the press and other mass media outlets with a print run of at least three thousand copies. The Expertise Center shall ensure the posting of the notification on the official website of the authorised body.
38. The Expertise Center shall primarily submit the information on the notification to the head of the community to post it on the announcement board of the marzpetaran or of the seat of the local self-government bodies of the affected community and the seat of the administrative head of the affected settlement or of public buildings (cultural, art, scientific, educational, training buildings), publish on the official websites of the local self-government bodies of the affected community, as well as to the initiator — to publish on the official websites thereof (if any).
39. The content of notification of the SEA public hearings shall include the following:

- (1) name of the initiator;
  - (2) name of the draft fundamental document;
  - (3) summary description;
  - (4) information on the provisions of the draft fundamental document;
  - (5) time limits and venue for holding public hearings;
  - (6) place for receiving information and time limits for presenting suggestions.
40. The content of the notification of EIA public hearings shall include the following:
- (1) name of the initiator;
  - (2) type of the proposed activity;
  - (3) place for carrying out and brief description of the proposed activity;
  - (4) time limits for holding public hearings and address thereof;
  - (5) opportunity to get acquainted with the documents and receive information, the address intended for presenting suggestions.
41. During the expert examination, the public hearings shall be held not earlier than on the 15<sup>th</sup> day after the notification, and:
- (1) for the draft fundamental document and the types of Category A activity — not later than on the 25<sup>th</sup> day;
  - (2) for the types of Category B activity — not later than on the 20<sup>th</sup> day.
42. Where the Expertise Center or the head of the community or the initiator changes the venue, day or time for holding the public hearing (jointly agreed) by observing the time limits prescribed by point 41 of this Annex, the Expertise Center, the head of the community and the initiator shall — within at least 7 days before the day of the hearing — inform the public thereof by the means provided for by points 37 and 38 of this Annex, as well as the return e-mail to those registered by-email.

43. The written or electronic suggestions, comments and opinions of the interested public shall be submitted:
  - (1) for the draft fundamental document and the types of Category A activity— within 25 working days after the notification;
  - (2) for the types of Category B activity — within 20 working days after the notification.
44. For participation in the discussions the interested public may register in advance, by the e-mail of the authorised body.
45. The public hearing shall be held by the Director of the Expertise Center or the person appointed by him or her and responsible for that public hearing, who ensures the recording, photographing or audio and video recording of the entire process of the hearing. Public discussions may be photographed or audio and video recorded also by other participants.
46. During the public hearing the SEA or EIA reports shall be presented by the initiator.
47. Where the design documents relating to the proposed activity and the EIA reports contain undisclosed information provided for by laws of the Republic of Armenia, the initiator shall remove such information from the report, making the public part thereof available to the interested public.
48. Experts, representatives of the state or specialised bodies involved in the expert examination may be invited to the public hearing.
49. The initiator or the moderator shall immediately respond to all opinions, comments and suggestions voiced orally by the interested public at the hearing.
50. In addition to the opinions, comments and suggestions voiced orally, the opinions, comments and suggestions submitted within the time limit prescribed by point 43 of this Annex shall also be discussed during the public hearing, regardless whether

their author has attended the public hearing. Where the author has not attended the public hearing, the response shall be given through contact point within 5 working days after the hearing.

51. The minutes of the public hearing which shall be drawn up within 3 working days from the day of hearing shall state the venue, day and time of the hearings, the composition of the participants, as well as all opinions, comments and suggestions voiced at the hearings, and responses and observations made with regard thereto, details of the participant photographing or audio and video recording it (name, surname, address of the place of residence or record-registration, phone number). The minutes shall be signed by the moderator and initiator. The list of participants with their signatures shall be attached to the minutes.
  52. The initiator and the authorised body must take into account the opinions, comments and suggestions presented during the hearings. In case of failure to take them into account, substantiated reasonings shall be given.
  53. The Expertise Center shall — within 5 working days from the day of the hearing — ensure the posting of the minutes, photographs or audio and video recording of the public hearing, where available — also the opinions, comments and suggestions of the interested public on the official website of the authorised body.
  54. Minutes, photographs, audio and video recordings of the public hearing, opinions, comments and suggestions of the public shall be stored by the Expertise Center for the period and in the manner prescribed by the Law "On archive-keeping".
2. This Decision shall enter into force on the day following its official promulgation.

**Prime Minister**  
**of the Republic of Armenia**

**N. Pashinyan**

Yerevan

29 December 2023

CERTIFIED  
BY ELECTRONIC SIGNATURE

**Date of official promulgation: 29 December 2023.**