

Answers to the questionnaire

In the context of Natural Resource exploitation the relations, concerning the rights to freedom of peaceful assembly and of association, are regulated by law “On peaceful assembly” and “On social organizations” and by these peculiarities, related to Natural resource Exploitation, are not defined.

In 1998 the Republic of Armenia signed UNECE Aarhus Convention on access to information, public participation in decision making and access to justice in environmental matters which was ratified in 2001, and which envisages broad public participation in the sphere of nature protection, as well as in the solution of the issues of natural resource exploitation and restoration.

In the process of developing legal acts, related to environment, the law “On legal acts” has a great importance and role in the regulations of public participation. It complies with demands of the Article 8 of Aarhus Convention, according to which “Every Party has to take measures to support effectively the public participation in developing compulsory other legal acts, which have essential impact on the environment, by governmental bodies, whenever there is a chance”. As it is mentioned in the law “On legal acts”, the Government of the RA gives the regulations of the organization and implementation of public discussions. The Institution of the public participation, regulated by the above-mentioned acts, complies with those conditions of the Aarhus Convention, according to which the public participation should be on time, effective, official and should be based on the information, dialogues, discussions and responses.

Having for an object to support the accessibility of environmental information for the public, the promotion of the public participation in the decision-making process, as well as the creation of transparent atmosphere in environmental issues and the strengthening of folk values, in 2002 a network of Aarhus centers was established in Armenia. Aarhus centers serve as a panel for discussions of nature protecting issues.

Since 2002, 15 Aarhus centers have been opened in Armenia, (one of them in Yerevan, 14 in regions), due to their activity nature protecting issues are open to broad circles of the population of the RA. Due to the Aarhus centers a new model of cooperation and perception has been formed, which gives an opportunity for governmental bodies, local governmental bodies and NGO-s to accept ecological challenges and find out solutions jointly.

For example, in 2013 the Aarhus centers were informed about the development of draft law “On The confirmation of the annual and joint programs of the measures of the reproduction, application, protection and restoration of the ecosystems of Lake Sevan”, which envisages that because of the solution of the agricultural land irrigation and dry underground water basin of the Ararat valley, in the upcoming 5 years, by 1 January 2019, it is defined that Lake Sevan should

release 240m³ water, instead of the annual maximum 170m³ ,according to the law.

For clarifying the authenticity of the information, the Aarhus center of Gavar inquired the director of Water State Committee. In the result of the double inquiry we got an affirmative answer. Aarhus center undertook the work of informing the public.

Taking into consideration the curiosity of the concerned civil society, in 2013 December 28 the Director of Water State Committee invited a meeting of the representatives of Aarhus centers and environmental active NGO-s. The Director of the Committee explained in detail the aim and necessity of the project. Aarhus centers jointly with Ecological NGO representatives took measures of informing, appealing to the public not to be indifferent to the changes of their rights and environment.

The scientific studies and argumentations of the independent experts served as a basis of serious discussions. In 2014, April 29 the National Assembly passed the law, but the suggested 5-year-term was replaced into 1-year-term. This is an example, that in the conditions of proper accessibility of information for the civil society, by means of inquiries, scientific argumentations and previsions, in the result of the consistent struggle of civil society, the legislative body party accepted the results of public participation.