

**SUPPLEMENT  
TO THE OFFICIAL REPORT ON IMPLEMENTATION OF THE AARHUS  
CONVENTION  
IN THE REPUBLIC OF ARMENIA  
PREPARED FOR THE SECOND MEETING OF PARTIES  
(distinct opinion)**

We, the undersigned non-governmental organizations, would like to express our contentment regarding the public hearings of the draft Report on Implementation of the Aarhus Convention in the Republic of Armenia. In general, we concur with the official Report and express our consent on the information related to the activities launched in the country as well as on obstacles on the way of implementation of the Aarhus Convention.

*At the same time, we regard as necessary to supplement the mentioned Report with the following broad statements:*

1. In our opinion, only the first of the three pillars of the Aarhus Convention (Articles 4 and 5), i.e. passive and active dissemination of information, is being implemented to a certain extent, and two other pillars (Articles 6-9) are being carried out in a very limited scope. Thus, if public participation in decision-making on plans, programs, policies as well as normative documents (laws, but not by-laws) related to the environment takes place to some degree, public participation in decision-making on specific activities is almost completely ignored. This circumstance neutralizes practical options for the public to influence the environment-related decision-making.

Access to justice is also realized only formally, as far as in principle it is possible to file a lawsuit to protect citizens' rights and in practice it is impossible to win the case.

2. Main obstacles of general nature are the following:

- ◆ Lack of the political will and, as a consequence, the formal attitude of state institutions towards the internal environmental policy;
- ◆ Lack of coordination among state institutions necessary for ensuring consistent implementation of the Convention;
- ◆ Poor implementation of the environmental legislation and the adopted practice of “mitigation” of law requirements by means of by-laws;
- ◆ Practice of adopting decisions by the central government, territorial government and local self-government, which are not always in compliance with the environmental legislation;
- ◆ Inadequacy and poor realization of mechanisms for control of the law enforcement;
- ◆ Insufficient training and awareness of decision-makers in environmental issues;
- ◆ Recent tendency to restrict activities of NGOs by certain government structures;
- ◆ Lack of independent judiciary (dependence from the executive branch of government and oligarchs);
- ◆ Corruption and monopolization of practically all areas of the economic activity;
- ◆ Social-economic difficulties of the transition period, more specifically- hard social-economic conditions of a large part of population (high levels of unemployment and poverty) and, as a result, low level of civic activism in protection of environmental rights.

3. Process of implementation of the Aarhus Convention, as of a “convention on environmental democracy” is inseparably linked to the general level of democratic reforms in the Republic of Armenia. Radical changes in realization of the Convention, in particular of its second and third pillars, are possible only in the case of further development of democratic processes in the country.

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