Process of Strategic Environmental Assessment in the Republic of Armenia

- Strategic Environmental Assessment in RA and regulating legislation
- Requirements of international treaties in RA national legislation

- Azganush Drnoyan
New RA Law “On Environmental Impact Assessment and Expertise”

- On 21.06.2014 National Assembly of RA approved draft of new Law “On Environmental Impact Assessment and Expertise”, which entered into force on 11.08.2014 after approval by RA President.
Draft by-laws are under development based on the RA Law “On Environmental Impact Assessment and Expertise”

- 1. Order on Expertise on Environmental Impact Assessment
- 2. Methodology of Environmental Impact Assessment
- 3. Order of assessment and reimbursement of the potential economic damages on environment from
- 4. Order on Recognition of Environmental Expertise Conclusion Invalidity
- 5. Order on Public Notification and Hearings Implementation
Strategic Assessment of Environmental Impact: procedure of comprehensive assessment of possible impacts resulting from implementation of strategic documents, which includes SEA report and definition of its preparatory scope/framework, public participation and consultation, as well as considerations of their results.
Strategic documents

- /law/documents with potential environmental impacts (policy, strategy, concepts, scheme of use of natural resources, program, General Plans, Urban development programs) and any modification of them

- /convention/plans and programs and any modification of them, as required by the law, by-law or Administrative documents, which have to be developed by the state authorities according to the requirements of the official procedures and requiring approval by the National Assembly or Government
Strategic documents subject of strategic assessment and expertise

- Strategic documents related to the Socio-economic, energetic, urban development, transport, communication, agricultural, underground resource utilization, industrial sectors, health, environmental, recreational, service, forestry, waste management, water use sectors. /there are differences with the convention in regard to the RA definition and classification/ (e.g. In Convention mined resources, in law use of underground resources, In convention urban and rural community planning and development, in law-urban development, socio economic sector etc.

- There are no mechanisms for selection of SEA
Application for preliminary assessment

- Application for expertise includes
  - 1) Initiator name and address of location
  - 2) Title of strategic document and/or planned activity
  - 3) Area of strategic document and/or planned activity, including brief description and state of environment
  - 4) Description of strategic document and/or planned activity (production capacities, used natural resources and materials, technical and technological solutions)
  - 5) Program of environmental measures for prevention, mitigation and compensation of negative impact to the environment
  - 6) Information about notification of public, public hearings and preliminary consent of local administration, if otherwise is not required by legislation/ Aarhus – at very early stage/
Application for preliminary assessment
Preliminary phase of expertise /requirement/order, public notification and discussion/

- Regarding Forbidden activities
- Completeness and revision
- Regarding requirement of transboundary assessment
- Regarding main assessment requirement /initiator provided with Terms of Reference /
Main Environmental Impact Assessment

Assessment of provisions of Strategic Document (SD) and planned activity potential environmental impacts

- Identified alternatives for SD approaches and planned activity; environmental and health assessment impact is assessed, as well as impact on the socio-economic implications is assessed.
- The study, ecological analyses and conclusion on the selection of alternative option to planned activity is conducted.
- Environmental measures developed, including monitoring program of impact to prevent, mitigate and exclude negative environmental impacts.
- Scale of impact is taken into consideration based on geographic location of potential impacted area, number of population, probability of impact, complexity, duration, frequency, total of different activities.
General requirements to the SEA Report

1) short content of strategic document, goals, relevance to the other strategic documents approved for this area

2) International treaties ratified by RA, legislative documents, environmental concerns of the area and their reflection in the strategic document

3) In framework of the strategic document: physical characteristics related to the planned activity, as well as description of resource requirements, substances used, technological processes, pollution, emissions, wastes, industrial wastes, physical interventions, potential risks of emergency and accidents.
General requirements to the SEA Report

- 4) description of potential environmental impact, socio-economic situation and possible changes without implementation of strategic document provisions
- 5) alternatives of strategic document approach, including zero option, comparison and preferred option for potential choice
- 6) measures as they are foreseen to maintain and increase potential positive impact, to prevent, mitigate and exclude potential negative impacts, to compensate damage to the environment, their efficiency and costs
- 7) monitoring program of impact during the implementation of strategic document.
General requirements to the SEA Report

- 8) information on the barriers, concerns identified during the utilization of assessment methods, including lack if the data, etc.
- 9) information about sources of information/data used in the report
- 10) summary of the report prepared in non-technical style / provisions on human health/
Main expertise procedure

- Public notification and discussions
- Involvement of external experts in the process
- Participation of state authorities (Ministry of Health and Emergency situations, other) and local self governance
one or more than one physical person/s and their unions, organizations or groups according to definition of national legislation or practice
Public notification phases/according to draft RA Government Decree/

1. Preliminary assessment phase (public notification and discussion aimed at providing information at earliest stage/)
2. Preliminary expertise phase (public notification and discussion)
3. Main assessment phase (EIA) (public notification and discussion)
4. Main expertise phase (EIA)
Order of Public notification and discussions

“In case of Strategic Document the public notification and discussions in 1-st and 3-rd phases are organized by the initiator and Regional Governors, in Yerevan by Yerevan Governor, and Governor of related administration. In case of planned activity Mayor of community administration (responsible for public discussions)”
Order of Public notification and discussions

- Public notification and hearings for stages 2 and 4 are conducted by authority or expertise center together with the responsible for public discussions.
Order of Public notification and discussions

Initiator, responsible for public discussions, specialists of expertise center are answering all questions raised by the public during discussions.

Important (հիմնավոր) comments and suggestions raised by the public are taken into consideration by initiator and expertise center. In case if they are not considered the explanatory reasons are provided.

(Minutes of the hearings and video recording attached to the application for initial assessment phase, in EIA phase report is attached)
Expertise Conclusion

(is key during the decision making process and has no consulting nature, in such circumstances it becomes integrated part of the planning)

Approval of Strategic document or Planned activity without positive expertise decision is now allowed.
EU Directives

- RA yet has no legal obligations to integrate SEA Directives in its national legislation.
- Approximation of SEA Protocol provisions with National Legislation will promote gradual approximation with European principles and integration of national legislation with SEA directives.
Thank you