



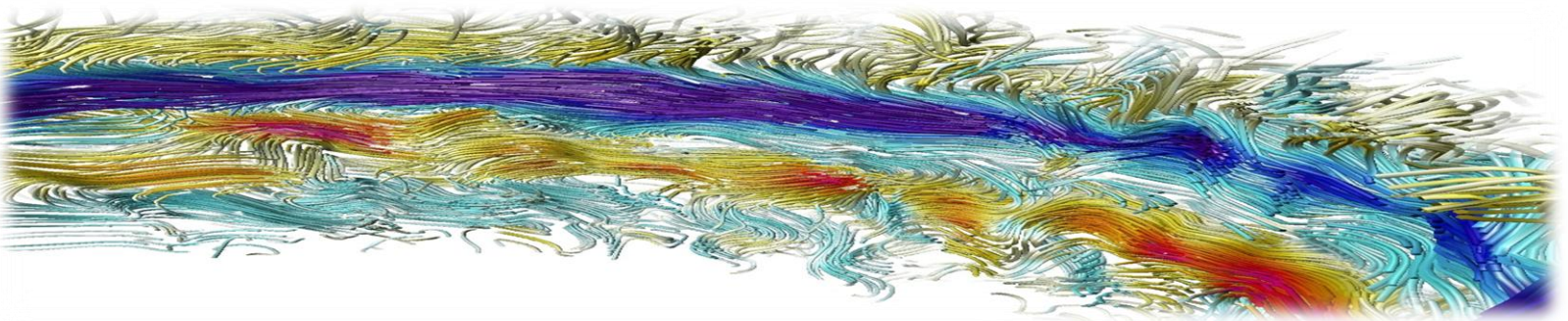
**ENVIRONMENTAL LAW RESEARCH CENTER
YEREVAN STATE UNIVERSITY
FACULTY OF LAW**

NEWSLETTER

JUNE –DECEMBER, 2012

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I. ENVIRONMENTAL LEGISLATION OF ARMENIA

■ Law draft “On amending Republic of Armenian Law On Specially Protected Natural Areas”

The Ministry of nature protection of the Republic of Armenia elaborated and submitted to the national Assembly of the Republic of Armenia RA Law draft “ On amending Republic of Armenian Law on Specially Protected Natural Areas”. ELRC suggested remarks and suggestions of ELRC has been accepted wholly by the Ministry. The letter once mostly touched the general notions of the draft, categories of protected areas, the inner logic of the draft and etc.

It is worth to mention that the cooperation between the Ministry of nature protection and ELRC was highly effective and fruitful from the prospective of consideration of the remarks in finalizing law draft.

II. ACTIVITIES OF ENVIRONMENTAL LAW RESEARCH CENTER

■ Public Hearing of the Law Draft “On amending Republic of Armenian Law On Specially Protected Natural Areas”

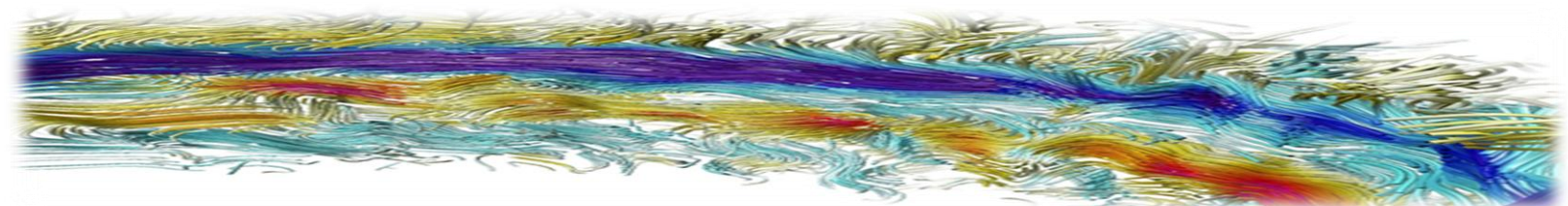
ELRC has implemented public hearing of the RA Law draft on amending RA Law “On specially protected natural areas”.

The goal of the hearing was to introduce the public the framework of the plotted amendments as well to provide a room for the public to speak out their concerns about the draft.

The bulk of the hearing was the legal regime and use of protected areas, particularly the issues of organizing environmental tourism.

The comprehensive assessment of the content and the structure of the draft highlight the following essential innovations never being familiar to Armenian legislation;

- system of the general notions is reviewed wholly,
- new categories of protected areas are added such as biosphere reserves or aqua- geological natural monuments etc. ,
- framework of the functions of public authorities are revised,



- novels on regime of protected areas use are introduced.

ELRC as well submitted remarks and suggestions on the draft in order to make it more precise and systemized.

The draft was elaborated based on the findings and recommendations of the UNDP GEF Program Protected Areas of Armenia.

Biodiversity of Armenia: Challenges and Solutions

ELRC jointly with the head of WWF Armenia carried out public lecture on challenges and paths of protection of biodiversity in Armenia. The public lecture was designed mostly for students visiting faculties of Law, Biology, Chemistry, Journalism, Geography and geology of Yerevan State University. The students were introduced to the environmental plans elaborated for the Caucasus Region and they were involved in the discussion on the significance of econets when creating specially protected natural areas.

The public speaker covered as well issues of planning, public monitoring, poaching, hunting farms and etc.

ELRC expresses its gratitude to Mr.

Manvelyan for the kind of interesting lecture.

Natural and Cultural Heritage of Armenia

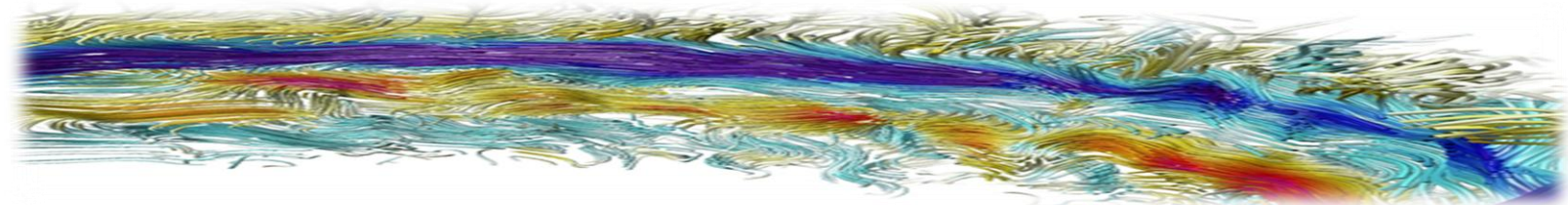
A unique lecture was conducted at ELRC through presentation of photo series of Mr. Samvel Baloyan, Doctor of Biological Sciences. Within one and a half hours of presentation students of faculties of Biology, Chemistry, Geography and Geology of YSU had an interesting trip to the world of Armenian biodiversity, landscape and water resources.

Despite the concerns about student's interest in that kind of lecture they were totally involved in it exploring once again their homeland Armenia.

ELRC expresses its gratitude to the author Mr. Samvel Baloyan for the valuable work he has conducted.

Student Scientific Conference on Waste Management in Armenia

On 06.12.2012 annual student scientific conference of ELRC devoted to the problems of waste management in RA was held. The topic was of interest not only for law students but also for future biologists and economists. Ten reports were approved to be presented which were devoted monitoring of waste disposal sites, access to information with



respect to waste, analysis of the powers of state authorities acting in the sphere of waste management, economic tools enhancing the efficiency of waste management, problems of dealing with persistent organic pollutants and other actual issues. The conference was held in the atmosphere of active and attractive discussion.

In the end the participants received the book Forest legislation of the Republic of Armenia.

The two theses of the presented researches you may find enclosed.

I. Monitoring and Cadastre of Waste in the Republic of Armenia.

Yerevan State University, Faculty of Biology. H. Galstyan, A. Teloyan, Scientific supervisor Ph.D. in Law G. Movsisyan.

One of the prominent directions of environmental protection is efficient waste management. The industrial and household waste isn't only dangerous for human health but requires extensive territory for the dumping. The purpose of the research was to identify the main sources of information on waste and to estimate the availability and the comprehensiveness of the information provided. Exploring the data in the administrative statistical reports submitted to the Ministry of nature protection of Armenia, the data of the National Statistical Service of Armenia and other relevant sources the

researches came to the following conclusion:

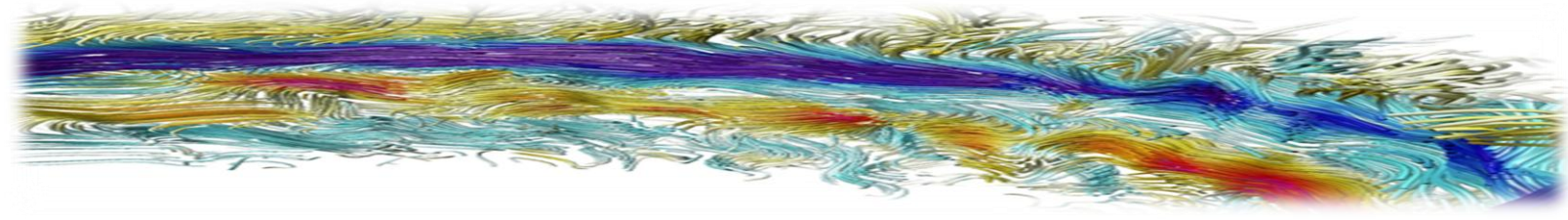
1. There is no established system of monitoring and cadastre of waste in Armenia, which leads to uncertainty to some extent in the information available on various sources.
2. In the situation when the relevant information isn't available the reasonableness of the public decision-making has also a room for improvement.

II. Waste management permitting system in the Republic of Armenia.

Yerevan State University, Faculty of Law. H. Harutyunyan, M. Grigoryan
Scientific supervisor Ph.D. in Law G. Movsisyan.

Consistent and precise legal regulation of licensing for a range of activities in the sphere of waste management constitutes one of the actual tasks of the RA environmental legislation. Currently the Republic of Armenia is Party to a several international agreements and subsequent legislation is in place which establish definitions of "waste" and "hazardous waste", main regulatory framework for waste management, including licensing for rendering harmless, storage, processing, transportation, burial activities.

According to para. 14 Article 43 of the Law of RA «On Licensing», processing, rendering harmless, storage, transportation and disposal of hazardous waste are activities subject to



licensing which, as stipulated by Law, is granted by the Government of RA through compound procedure based on environmental impact expertise.

However, a range of issues related to safety and sanitary-hygienic requirements have not been properly regulated by legislation of RA, and they are not considered as necessary conditions for granting a license. Though the law stipulates that the license holders are obliged to conduct activities in locations mentioned in the license and they should respect environmental, hygienic, sanitary, fire safety rules, however, there is still room for adverse practice, as in case of infringements only little administrative fines might be imposed and the activity actually will go on.

Besides, it would be reasonable to envisage certain grounds for refusal of license for waste processing, rendering harmless, storage, transportation and disposal.

Only granting license is not sufficient as the license should be considered not only as a permission for waste use but also as a guarantee for environmental safety. Therefore, the establishment of thresholds for waste management is necessary when the license is issued.

We would suggest also envisaging so called public control over waste management activities. It might be conducted by environmental and other NGOs as well as by

citizens. This implies an institution of environmental inspectors with wide powers.

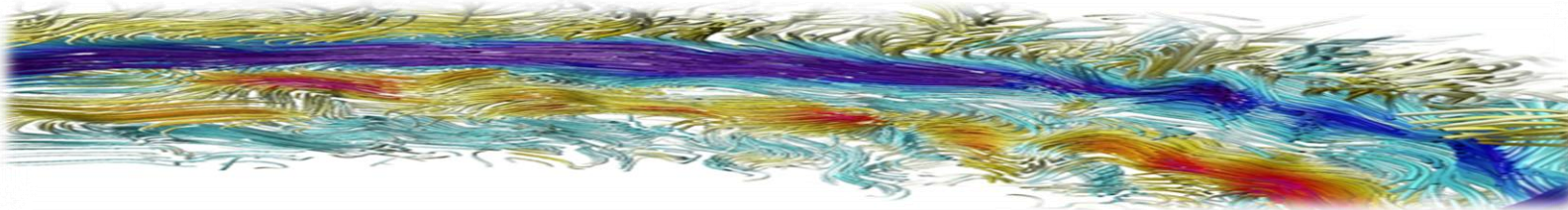
Elaboration of guidance for enterprises engaged in waste management is a progressive step by the Ministry of Nature Protection of RA which is already endorsed by the Government of RA.

The analysis of the abovementioned brings to the conclusion that in spite of efforts of the legislative power, the sphere of waste management is not precisely regulated and there are a number of gaps. Particularly, the requirements for granting a license should be stricter, mechanisms should be envisaged to ensure that the license is not only a permission for waste use but also guarantee for environmental and human safety.

Elaboration and Presentation of ELRC Web Page

In the modern world dissemination of information on the activities of different entities including scientific institutions is a key precondition to ensure awareness of general and concerned public on matters directly related to them. In this context the full implication of information technologies and, in particular, capacity of internet is irrefutable.

Following the aforementioned logic ELRC on 5 December, 2012 presented its web-page



the elaboration of which stretches back to the beginning of this year. The technical solutions and principals make the web page dynamic source of information on environmental law science, legislation and dimensions of law practice. The content and the structure of the web page make it useful both for decision-makers and representatives of civil society, scientific institutions, international organizations etc.

During the presentation the research fellows of ELRC emphasized three main directions of the web structure; 1. Current trends of environmental law and legislation, 2. Activities of ELRC, 3. General environmental issues.

The guests of the presentation were representatives of public authorities, scientific institutions, non-governmental and international organizations.

The preparation of the web page was welcomed by the Vice-rector on students, alumni and public affairs Ruben Markosyan and Dean of Law Faculty Gagik Ghazinyan with the hope that ELRC will continue its endeavors directed to perfection and modernization of the page.

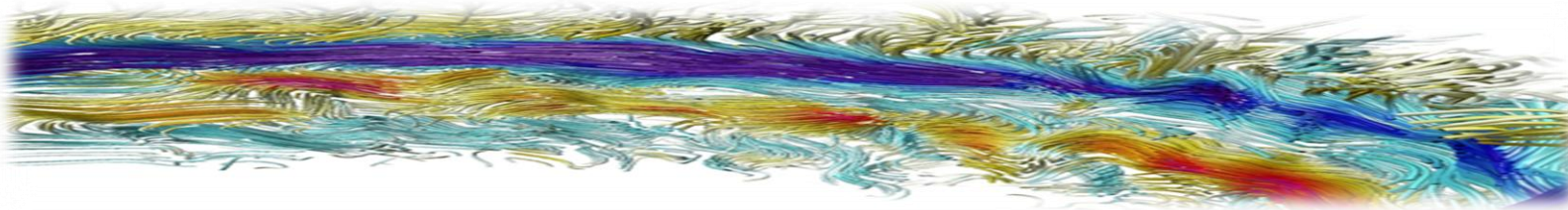
ELRC expresses its immense gratitude for all positive feedbacks and promises to continue activities with the same mood.

Round Table on Risk Based Control Methodology

Within the framework of Program of Amendment of the Inspection System in Armenia, the Methodology and Overview of Risk criteria have been elaborated also with regard to State Environmental Inspection. The round-table organized at ELRC today was devoted to the mentioned issues.

The invited speakers were Ms. Roza Julhakyan - Head of the Division of registration and analytics of the State environmental inspection of the Ministry of Nature Protection of RA, and Mr. Vardan Dabaghyan - Member of the group on inspection amendments of the Ministry of Economics of RA. The speakers introduced to the audience the functioning principles, approaches and tasks of the new system.

The round-table aimed to bring to the attention of the business companies the new model of environmental control which will come into force as of 1st January 2013. According to the speakers the model of risk-based revisions will enable to distinguish the frequency of revisions based on the level of risk established for certain objects and make the control procedure more transparent. The risk level will be assessed based on a range of criteria already elaborated. As established in the Methodology the overall weight of risk is formed by two main components: sectoral risks and individual risks. The weight of the



last is estimated parallel upon information possessed by the firm and the information received upon checklist. To the contrary of the system still in force the new model will make the revisions predictable, avoid red-tape and form new culture of relations inspector-entrepreneur.

Environmental Law Research Centre of the Faculty of Law, YSU also emphasizes the importance of the new initiative and is hopeful that it will have positive impact on the practice of state environmental control.

The participants of the round-table were representatives of mining companies who came up with a number of questions, remarks and suggestions with respect to the new system.

III. INTERESTING TO KNOW

Protecting the Environment Can Be Profitable

As technology progresses, consumer habits change. Like many other electrical appliances, old television sets have become obsolete. The company is not just doing the environment a favor – last year, Relight reached an annual turnover of 8 million Euros.

“All of these operations are

economically sustainable because this is a profitable business, my factory is making profit, creating jobs and has a self-sustaining system,” says Bibiana Ferrari.

The recycled glass is added to a clay mixture used to make ceramic tiles.

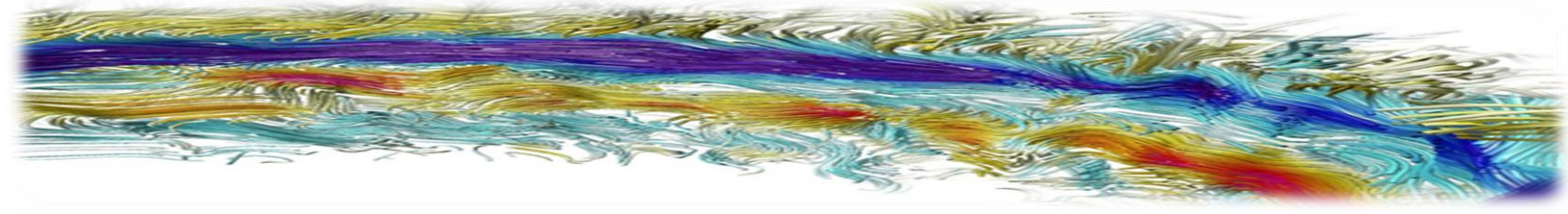
For example, in order to make enough tiles for a 70-square meter apartment, 30 television sets are needed.

To this day, 10,000 tons of TV sets have been recycled thanks to the Glassplus project.

“To this day we have produced 500,000 square meters of ceramic tiles with this innovative clay. This means that we have recycled 2,500 tons of glass from old televisions,” says Glassplus project coordinator Davide Carra.

By using recycled glass, Refin, the ceramics manufacturer, significantly reduces its dependency on mostly imported raw materials.

The process is not only environmentally-friendly, but also attracts new markets thanks to its ecological certification. “This production is very important for us because we always focus on innovation, high quality and design,” says Refin General Manager, Arnold



Stabinger. Relight General Manager Bibiana Ferrari has this advice for anyone seeking to set up a successful, environmentally-friendly business:

“The three keys to success in this field are: focusing on development and research, spending a lot of energy and effort on environmental issues, and the ability to process waste in accordance with industrial needs.” (Available at <http://www.euronews.com/2012/12/14/protecting-the-environment-can-be-profitable/>)

IV. GREEN SMILES

