



**Restrictions on Environmental Information
Site Event of NGOs at MOP7 of Aarhus Convention - Geneva**

11 October, 2021

Protect your rights to access information and participation in the decision-making processes

- ▶ Green activists in Armenia use the following tools to protect their rights to access information and participation in the decision-making processes.
- ▶ Armenia joined the Aarhus Convention in May 2001. The mechanisms enshrined in the convention were especially popular when 15 Aarhus Centers were operating in Armenia. Currently, the Aarhus Centers are closed, except for the current Yerevan Aarhus Center.
- ▶ The Law of the Republic of Armenia on Freedom of Information was adopted by the National Parliament on September 23, 2003.
- ▶ The Extractive Industry Transparency Initiative EITI became more popular. Armenia began the process of becoming an EITI member in July 2015. Civil society takes an active part in EITI, to have a responsibility to guarantee the accountability and transparency of the decisions and implemented policies in the mining sector.

Two complaints have been filed to the Aarhus Convention Compliance Committee from Armenia on non-compliance to these rights

One of the complaints refers to the violation of rights of orchard owners in the territory of Dalma. The other is the violation of rights of the local population and society because of Teghut copper and molybdenum mining project.

The committee particularly noted that Armenia (namely the government) didn't make any comments on the progress of the complaints.

The committee found that the Party concerned has not yet fulfilled the requirements of the Committee decision.



Aarhus convention and manipulation

- ▶ On April 2, 2020, RA Government approved an amendment to RA Law on Freedom of Information, which gives the Environment Ministry the right to refuse to provide information that could negatively affect the environment, including rare species breeding sites. **“The provision of environmental information may be refused if it may adversely affect the environment, including rare species breeding sites.”**
- ▶ The references made by the Environment Ministry to the Aarhus Convention and the substantiation for restricting access to information was not justified. The ministry has ignored the fact that access to important environmental information contributes to the fulfillment of the Aarhus Convention's core mission of full public participation in decision-making. It is precisely this mission that becomes a major issue in the dialogue with the Ministry and other responsible agencies.



The feedback of the mass media around the draft law on restricting environmental information

- ▶ Journalists Without Borders has tweeted on the draft law restricting the provision of environmental information in Armenia, noting that the government's restriction of environmental information violates the principle of transparency adopted by the authorities.
- ▶ "They tried to have the draft adopted, where they succeeded, given the harsh state of the coronavirus in the country. But I want to say that they will not succeed until the end, because we already have the response of international organizations. Besides, the citizens who are concerned about the environmental situation and the current policy are against the adoption of this project, and a written statement will be sent both to the National Assembly and the government in the near future," EcoLur says.



The feedback of the mass media on the draft law on restricting environmental information

- ▶ According to Geographer Levon Galstyan, the biggest risk of the draft law is to take control tools from environmental organizations.
- ▶ According to Shushan Doydoyan, Head of Freedom of Information Center, the draft law grants a wide opportunity to the officials of Environment Ministry to refuse to provide any information they do not want to . In support of the draft law, the Ministry referred to Article 4 of the Aarhus Convention. "If we compare the Armenian and English texts, it becomes clear that the convention allows us to limit only the information on the places of reproduction of rare species, and not any other information that can negatively affect the environment," she said.
- ▶ Environment Minister Erik Grigoryan, responding to the concerns voiced by the civil society, says that this draft law solves a very simple problem. "The meaning of this amendment to the law is that in case of harm to flora and fauna, it would be possible not to provide that information.", he said.

RA Ombudsman

In RA Ombudsman's view, the draft law on Freedom of Information developed by Environment Ministry contains non-substantiated risks of rejection. The draft law does not reflect the actual content of the provisions of the Aarhus Convention on Access to Environmental Information, Public Participation and Access to Justice.

<https://www.ecolur.org/en/news/dialog-with-officials/12257/>



Statement

More than 240 representatives of Armenian civil society spread the Statement with the following basic arguments:

- ▶ The proposed draft Law contradicts the Aarhus Convention.
- ▶ The draft law was developed without civil society representatives working in the field, and there has been no proper public discussion to date.
- ▶ This amendment violates the principle of transparency adopted by the government, on the one hand, and limits access to environmental information and public scrutiny, on the other hand.
- ▶ **We demand that the draft law is repealed immediately.**
<https://www.ecolur.org/en/news/dialog-with-officials/12254/>, <https://www.ecolur.org/en/news/dialog-with-officials/12253/n>, <https://www.ecolur.org/en/news/dialog-with-officials/12271/>.



The Victory

RA National Assembly Standing Committee on Territorial Administration, Local Self-Government, Agriculture and Nature Protection decided to work on a new draft law on environmental information and temporarily postponed the adoption of this draft.

Public awareness and participation in discussions related to threats and risks to health and the environment

- ▶ The environmental factor has begun to have a greater impact on people's health. New phenomena of "occupational asthma", dioxin syndrome, fatigue syndrome have emerged.
- ▶ People in whose organisms a high content of arsenic, a carcinogenic element, was detected, are at risk. The increase in carcinogenic and other risks is an alarming signal.



Information is a weapon to protect one's own rights on health and environment

- Specialists from Arnika investigated concentrations of heavy metals in soil, river sediments, and fruit grown in the affected communities and compare these results with the results of biomass samples taken from the locals.
- The goal is not only to show numbers but also to explain what it means. Are these indicators high or low, critical or risky? It is needed to bring everyone into the context - the community and the people, to attract the attention of those people who are at potential risks of pollution.



if you are warned, you are protected.

one rule works here - **If you are warned, you are protected.** This means that those who possess the information know that they have the tools, they are aware, they have the bases to rely on.

People should not be left alone with their problems. Problems accumulate and turn into obstacles that require drastic efforts and high financial costs.

Solutions are needed to protect the person, their health, their children, their life.



Thank you

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