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The current state of the Environmental Liability system in Armenia and upcoming plans

November 16, 2023

PROGRAMME OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA (2021-2026)

Priority directions

- ✓ refinement of the active economic mechanisms for environmental protection, through the introduction of the principle of compensation adequate to the damage caused,
- ✓ implementation of several legislative and institutional changes for prevention, mitigation and neutralization of the environmental damage;
- ✓ harmonization of the legislation on nature protection with the directives of the Armenia-European Union Comprehensive and Enhanced Partnership Agreement and, in this context, expansion of international cooperation;



Commitments under the EU- Armenian CEPA

In the frame of CEPA, it envisages the approximation of national legislation in accordance with Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage, including

- ✓ Adoption of national legislation and designation of competent authorities.
- ✓ Establishment of rules and procedures aimed at preventing and remedying of damage to the environment (water, land, protected species and natural habitats) based on the polluterpays principle.
- ✓ Establishment of strict liability for dangerous occupational activities.
- ✓ Establishment of obligations for operators to take the necessary prevention and remediation measures including liability for costs.
- ✓ Establishment of mechanisms for affected persons including environmental NGOs to request action by competent authorities in case of environmental damage including independent review.



National legal framework of Environmental liability

- ✓ Tax Code (2016),
- ✓ Law on Tariffs for Compensation of Damage Caused to Flora and Fauna as a Result of Environmental Violations(2015),
- ✓ Government Decree on Approving the Procedure for Assessment of the Impact on Water Resources Resulting from Economic Activities(2003),
- ✓ Government Decree on Approving the Procedure for Assessment of the Impact on Land Resources Resulting from Economic Activities(2005),
- ✓ Government Decree on the Procedure for Assessing the Impact of Economic Activity on the Atmosphere (2005).



Competent Authorities

Ministry of Environment

Development of methods for calculating damage to the environment and the mechanism of environmental liability (MoE Charter).

Environmental and mining inspection Body

Calculation of the amount of damage caused to natural resources and ensuring collection (EMIB Charter).



Implemented and ongoing activities within the approximation process

- ✓ *In 2020, two events were held under the EU TAIEX technical assistance and information exchange instrument on the legal framework of the Environmental Liability System.*
- ✓ *Currently, within the Program "EU4Environment. water resources and environmental data", a study is being carried out on the possibilities and obstacles to changing the structure and rates of natural use fees (for water use) and environmental taxes (for discharging harmful substances into the water basin), and the development of a corresponding legal act is planned.*





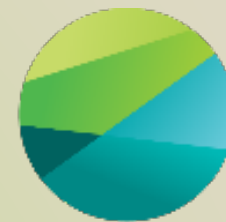
Upcoming plans towards the improvement of Environmental Liability System in Armenia

- *determination of the legal framework of system reforms,*
- *development and approval of the relevant legislative package,*
- *formation of the institutional framework of the system,*
- *startup of an improved system.*

Expected Outcomes of Reforms of Environmental Liability System in Armenia

- promote the "polluter pays" principle,
- reduce the harmful impacts on the environment as a result of economic activity,
- provide financial mechanisms to compensate for environmental damage,
- meeting the obligations under the framework of the CEPA,
- introduce a legislative and institutional system aimed at preventing, mitigating, and neutralizing environmental damage.





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Thank you for your attention!!!

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