

LAW OF THE REPUBLIC OF ARMENIA

ON LAKE SEVAN

This Law establishes legal and program framework of the state policy for restoration, reproduction, protection and use of natural resources of Lake Sevan as of an ecosystem that has a strategic significance and economic, social, scientific, historical-cultural, esthetical, recreational and spiritual value for the Republic of Armenia.

CHAPTER 1

General Provisions

Article 1. Object of regulation and purpose of the Law

This Law regulates relations in the field of protection, restoration, reproduction and use of natural systems for Lake Sevan, its' catchment basin and areas beyond Lake Sevan catchment basin within 30 km distance from the water divide inside borders of the Republic of Armenia.

Article 2. Legislation on Lake Sevan

Relations in the field of restoration, protection, reproduction and use of the ecosystem of Lake Sevan are regulated by the Constitution, this Law, other laws and legal acts.

Article 3. Main Terms Used in this Law

Lake Sevan catchment basin -area, surface and ground waters of which flow to Lake Sevan.

Lake Sevan ecosystem -biotic and abiotic subsystems of Lake Sevan and its catchment basin along with the entirety of their interrelationships.

Sevan economic activity zone -water and land area of Lake Sevan, its catchment basin, except for areas, which have special status provided by the legislation of the Republic of Armenia.

Ecotone -transitional zone of interconnected water and land ecosystems, which includes water and land areas around the shoreline. Depending on the landscape of the water catchment basin, the width of the ecotone can vary between 5-150 meters.

Article 4. Property Rights Related to Lake Sevan

Lake Sevan and its ecotone area are a state property , that are not subject to alienation. Activities in Lake Sevan and its ecotone area are carried out according to regulations established by the Government of the Republic of Armenia.

CHAPTER 2.

Ecological Zoning

Article 5. Ecological Zoning

Ecological zoning is established for restoration, protection, regeneration and use of Lake Sevan ecosystem, regulation of economic and other activities in the lake and its catchment basin. Status of specially protected areas within the borders of ecological zones is not subject to a change, unless otherwise provided by law.

Activities, which address the use of natural resources of Lake Sevan and its catchment basin, and the social-economic development of the administrative territories located within the catchment basin, are carried out in compliance with requirements established by the legislation of the Republic of Armenia

to ensure regularity of processes of Lake Sevan ecosystem and with planned schedules for the ecological zones.

Article 6. Types of Ecological Zones

With purpose of restoration, protection, regeneration and use of Lake Sevan ecosystem, regulation of economic and other activities in the lake and its catchment basin, ecological zones are established, namely, central (Lake Sevan), direct impact (Lake Sevan catchment basin) and indirect impact zones (outside of Lake Sevan catchment basin, at a 30 km distance area from the water divide).

Within two months upon entering into force of this Law, the Government outlines an appropriate schedule for each ecological zone for the use and protection of natural environment of Lake Sevan ecosystem.

Article 7. Central Zone

Central zone is the territory of the Sevan national park. The purpose of its distinction is to protect and restore the natural state of Lake Sevan ecosystem- water quality, natural landscape and biodiversity of the lake and the land areas near the shore.

Area of the central zone is an object with a special regulation of limited economic and urban development activities, which is protected according to a due schedule.

Article 8. Direct Impact Zone

Direct impact zone includes the catchment basin outside borders of the central zone up till the water divide, where any activity directly or indirectly affects hydro-physical, hydro-chemical, hydro-biological, sanitary-toxicological and other quality and quantity parameters of Lake Sevan and rivers running into it.

Area of the direct impact zone is an object with a special regulation of urban development activities.

Article 9. Indirect Impact Zone

Indirect impact zone is the territory beyond Lake Sevan catchment basin within 30 km distance from the water divide inside borders of the Republic of Armenia and not included in the boundaries of the central and direct impact zones. The purpose of distinction of the indirect impact zone is to prevent the possible impact conveyed through air flows over Lake Sevan and other routes.

Economic activities on the indirect impact zone are carried out based on maximum allowable concentrations of substances emitted into the atmosphere as established by the Government within two months upon entering into force of this Law.

Article 10. Fulfillment of Activities in Central, Direct Impact and Indirect Impact Zones

Any type of activity in central, direct impact and indirect impact zones that has a dangerous impact on Lake Sevan ecosystem is prohibited.

Fulfillment of economic activities in central and direct impact zones is permitted based on regulations established by the Government of the Republic of Armenia within two months upon entering into force of this Law.

Prohibited activities in the direct impact zone are:

1. production, use and storage of radioactive substances and wastes, as well as ecologically hazardous or toxic substances;
2. deployment of enterprises that process ores, including those in the Sodk gold extraction sites;
3. operation of thermal energy sources that have more than 100 MW capacity and base on coal and liquid fuel.

CHAPTER 3.

Program Framework of the State Policy for Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

Article 11. Program Framework of the State Policy for Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

- 1. The state policy for restoration, protection, reproduction and use of Lake Sevan ecosystem is implemented according to the comprehensive program on Lake Sevan (hereinafter Comprehensive Program) in accordance with the established timeline and procedures.**
2. The goal of the Comprehensive Program is to ensure restoration, protection, reproduction and use of Lake Sevan ecosystem.
3. Draft Comprehensive Program is submitted by the Government to review of the National Assembly within three months upon entering into force of this Law. Comprehensive Program is passed by the National Assembly through adoption of a pertinent law.
4. Annual proportions of implementation activities planned by the Comprehensive Program are determined by the Government and reflected in annual programs on Lake Sevan (hereinafter Annual Program).
5. Necessary amount of finances for implementation of the Annual Program is reflected in the state budget expenditures of the respected year .

Article 12. Contents of Comprehensive and Annual Programs and Principles of their Elaboration

1. Comprehensive and Annual Programs contain:
 - a) main problems;
 - b) information about water resources, fauna and flora, and ecological subsystems of Lake Sevan and its catchment basin;
 - c) planned volume of work and timetable for its completion;
 - d) financial proportions of the planned work;
 - e) principles for execution of programs and priorities for implementation of the planned activities;
 - f) principles, methods and types of implementation of activities in Lake Sevan and its ecotone area based on regulations established by the Government of the Republic of Armenia;
 - g) other conditions, that are necessary for a complete presentation of programs.
2. Except for the issues specified in the 1st paragraph of this article, the Comprehensive Program also includes.
 - a) planned work by the authorized bodies;
 - b) order of supervision of planned activities and their funding process.
3. The Annual Program includes also:
 - a) analysis of current and anticipated instruction of intended activities;

b) plans and current schedules for water release and unrecoverable water intake that do not disturb Lake Sevan ecological sustainability and ensure positive water balance of the lake.

c) annual maximal quantity of water releases and intake from Lake Sevan, provided on a monthly basis.

d) annual maximal quantity of extraction and commercial hunting of biological resources (including fish and shellfish) and their industrial quality characteristics, provided on a monthly basis.

4. Along with the Annual Program the Government also submits bills to provide for implementation of that program.

5. Comprehensive and Annual programs are developed in compliance with principles of conformity of Comprehensive and Annual programs, balance of program activities and their funding, consistency of Comprehensive and Annual programs, and accountability .

Article 13. Procedures for Discussion and Approval of the Report on the Annual Program and Implementation of the Annual Program

1. The Annual program is passed by the National Assembly through adoption of a law prior to approval of the state budget of the respected year.

2. Once a year the Government submits a report to the National Assembly about the implementation of the Annual Program.

3. Report on implementation of the Annual Program is a component of the report on state budget execution of the respected year.

4. Report on implementation of the Annual Program includes the analysis about provisions stated by Article 12 of this Law and the assessment of implementation of the Annual Program.

5. Unfinished amount of work planned as results of implementation of the Annual Program are included in the Annual program of the next year. Deadline for implementation of the latter cannot exceed the proposed deadline of the Comprehensive Program.

6. With purpose of supervision of implementation process of the Annual Program parliamentary hearings are held at the National Assembly no seldom than twice a year.

CHAPTER 4.

Mandates of the State Government and Local Self-government Bodies in the Field of Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

Article 14. Mandates of the Government of the Republic of Armenia in the Field of Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

In the field of restoration, protection, reproduction and use of Lake Sevan ecosystem the Government:

1. organizes, coordinates and ensures implementation of the state policy in field of restoration, protection, reproduction and use of Lake Sevan ecosystem;

2. determines the area of Lake Sevan water catchment basin;

3. fulfills other mandates provided for by this Law, other laws and legal acts.

Article 15. Mandates of the State Management Body Authorized in the Field of Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

The state management body authorized in the field of restoration, protection, reproduction and use of Lake Sevan ecosystem (hereinafter Authorized Body):

1. participates in formulation of the state policy for conservation of Lake Sevan ecological system;
2. performs supervision over the implementation of requirements of this Law;
3. develops suggestions for solution of program issues;
4. orders scientific research in the field of restoration, protection, reproduction and use of Lake Sevan ecosystem;
5. oversees organization of the artificial reproduction of fish and shellfish, as well as plants and animals of Lake Sevan;
6. retains the authority to require necessary information from commercial and other entities about nature protection and use in central, direct impact and indirect impact zones, which is submitted to the Authorized Body within ten days upon the request;
7. disseminates information about the state of Lake Sevan ecological system at the end of each quarter, through broadcasting by public television and radio and publishing in the press;
8. organizes public discussions on issues that are within its mandate;
9. within the framework of this Law submits environmental protection norms to the approval of the Government;
10. carries out other functions as provided by this Law, other laws and legal acts.

Article 16. Mandates of the Territorial Administration Bodies in the Field of Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

In the field of restoration, protection, reproduction and use of Lake Sevan ecosystem, territorial administration bodies:

1. within their jurisdiction ensure compliance with requirements of the legislation of the Republic of Armenia in the field of restoration, protection, reproduction and use of Lake Sevan ecosystem;
2. participate in the development of programs for restoration, protection, reproduction and use of Lake Sevan ecosystem;
3. organize joint and agreed actions together with relevant services and units of the Authorized Body and local self-government bodies in the field of restoration, protection, reproduction and use of Lake Sevan ecosystem;
4. carry out other functions as provided by this Law, other laws and legal acts.

Article 17. Mandates of the Local Self-government Bodies in the Field of Restoration, Protection, Reproduction and Use of Lake Sevan Ecosystem

In the field of restoration, protection, reproduction and use of Lake Sevan ecosystem, the local self-government bodies:

1. provide assistance for the compliance with requirements of legislation of the Republic of Armenia on the territory of the community in the field of restoration, protection, reproduction and use of Lake Sevan ecosystem,

2. ensure the community members' participation in public discussions on the restoration, protection, reproduction and use of Lake Sevan ecosystem,
3. carry out other functions as provided by this Law, other laws and legal acts.

CHAPTER 5.

Experts Commission on Conservation of Lake Sevan

Article 18. Experts Commission on Conservation Lake Sevan

1. In order to ensure independent and professional expertise of Comprehensive and Annual Programs (reports) and documents, which provide for their implementation, prepared by the authorized bodies, a unit called Experts Commission for Conservation of Lake Sevan (hereinafter Commission) is established within the structure of the National Academy of Sciences of the Republic of Armenia (hereinafter NAS).
2. Commission comprises of 9 members, who are appointed by the NAS president within one month upon entering of this Law into force.
3. Chair of the Commission is elected from the members of the Commission through closed elections by the majority of votes of the total number of members of the Commission.
4. Changes in the membership of the Commission may be made only upon the agreement of the Commission.
5. Commission operates according to its charter, which is adopted at the session of the Commission within one month after its establishment.
6. Remuneration of the members of the Commission and the budget of expenditures for activities is approved by the NAS President.
7. Expenditure funds for the fulfillment of activities of the Commission originate from the state budget and are reflected as a line item in the expenditures for maintenance of the NAS and the request for budget funds.

Article 19. Requirements for Members of the Commission

A member of Commission can be a citizen of the Republic of Armenia with minimum 10 years of work experience in the field of environmental protection and highest qualification (scientific title).

Article 20. Mandates of the Commission

The Commission

- a) realizes initial and final assessment of Comprehensive and Annual Programs, as well as of documents, which provide for their implementation, and develops official conclusions;
- b) based on the results of the initial assessment, develops and submits relevant proposals to the authorized bodies;
- c) may participate in the events related to the Lake Sevan and in discussion of issues;
- d) with purpose of getting familiar with the situation, may make checking visits and develop official protocols;
- e) carries out scientific and expert research;
- f) may involve additional experts and specialists;
- g) fulfills other functions that are provided by the charter of the Commission and do not contradict other legislation.

Article 21. Expert Conclusions of the Commission

1. Commission gives an expert conclusion on Comprehensive and Annual Programs (reports), as well as documents, which provide for their implementation, within one month upon their receipt;
2. Conclusions of the Commission and protocols resulted from checking visits are sent to the President of the Republic, the National Assembly and the Government within three days.
3. Conclusion of the Commission about Comprehensive and Annual Programs (reports) includes:
 - a) extent of validity of the Program objectives and activities;
 - b) estimate of resources (including financial resources) for the fulfillment of Program objectives and activities;
 - c) information about results of checking visits of the Commission,
 - d) evaluation of the conformity of Programs (reports) to the requirements of this Law;
 - e) statements about including in Programs (reports) or rejecting of proposals, which have been received in the process of development and discussion of Programs (reports), and ones which have been developed by itself as a result of initial assessments;
 - f) brief evaluation of the preparedness and feasibility of Programs;
 - g) other information and analysis, which the Commission will find necessary for presentation of a complete expert conclusion about Programs (reports);
4. Comprehensive and Annual Programs (reports) are discussed in the National Assembly upon availability of the conclusion of the Commission.
5. Conclusions of the Commission at the session of the National Assembly are presented by the Chair of the Commission. Discussion of the conclusion is held according to the Law of the Republic of Armenia on the Charter of the National Assembly of the Republic of Armenia.

Article 22. Chair of the Commission

Chair of the Commission:

- a) organizes and leads activities of the Commission;
- b) represents the Commission in the relations with state and local government bodies and international organizations;
- c) signs conclusions of the Commission and other official documents;
- d) participates in discussions at sessions of the National Assembly and the Government about Lake Sevan conservation issues;
- e) carries out other functions that are provided by the charter of the Commission and do not contradict to the legislation.

CHAPTE 6

Lake Sevan Conservation System

Article 23. Major Requirements for Restoration, Protection, Reproduction and use of Lake Sevan Ecosystem

Major requirements for restoration, protection, reproduction and use of Lake Sevan ecosystem:

- a) urban and landscape planning of areas;
- b) completion of ecological, natural resource use, environmental impact and other types of assessment, determined by legislation;
- c) programmed implementation of environmental protection and natural resource use activities;
- d) issuing of ecological passports to economic entities engaged in economic activities;
- e) environmental impact statement;
- f) environmental impact assessment.

Article 24. Urban and Landscape Planning

Landscape and urban development plans form the basis for legally determined allotment, use and alienation of water, land and other natural resources of relevant area within central and direct impact zones of Lake Sevan ecosystem.

Landscape and urban development plans are approved by relevant authorized bodies, based on the ecological, environmental, natural resource use as well as other impact assessments provided by law.

Landscape and urban planning of central and direct impact zones of Lake Sevan ecosystem are completed according to rules established by the Government of Armenia.

Article 25. Ecological Impact Assessment

Ecological impact assessment is fulfilled according to rules established by the legislation of the Republic of Armenia.

Article 26. Issuing of Ecological Passports

Ecological passports establish a set of allowable norms of mechanical residuals, liquid and gaseous pollutants and their chemical composition, which are discharged into the environment by commercial entities.

Commercial entities can implement activities only upon the availability of ecological passports –the document, which describes ecological condition of the commercial entity . Ecological passport is issued by an Authorized body, by the established rules.

Article 27. Environmental Impact Statement

Prior to commencing activities or technological changes, commercial entities are obliged to submit an appropriate statement to the Authorized Body. Within one month upon receiving the statement, the Authorized Body has to make a decision on permitting or prohibiting the given activity based on ecological, natural resource use, environmental as well as other impact assessment established by law.

CHAPTER 7.

Standardization and Control of the Harmful Impact on Lake Sevan Ecosystem

Article 28. Prohibition of Discharges that Having Negative Impact on Lake Sevan Ecosystem

1. In order to provide normal functioning of Lake Sevan ecosystem, it is prohibited to use:

- a) a) substances of high toxicity for aquatic organisms;
- b) b) substances of non-high toxicity, which are conveyed through the food chain and accumulated in plants and animals;
- c) c) substances of high and non-high toxicity, which dissolve slowly in waters of Lake Sevan, rivers and springs running into the lake;
- d) d) substances, which are dangerous for ecosystems, but can be easily removed from biological system,
- e) e) biogenic elements, heavy metals or their compounds that exceed allowable norms.

2. The list of biogenic elements, heavy metals or their compounds and other substances mentioned in paragraph 1 of this Article, is determined by the Government within two months upon entering into force of this Law.

Article 29. Protection of Lake Sevan Ecosystem from Biological Pollution

Introduction and placement of plants and animals, which are not typical for bio-systems of central, direct, and indirect impact zones of Lake Sevan ecosystem, are realized according to rules established by the legislation of the Republic of Armenia.

Article 30. Control over Discharges of Dangerous Substances and Biological Pollutants in Lake Sevan Ecosystem

Commercial entities are obliged to comply with norms established for Lake Sevan ecosystem. In case of accidental or one-time spills in the process of operation of those entities, they are obliged to take immediate measures to prevent environmental pollution and to promptly inform relevant bodies (Authorized Body, Marzpetaran, etc.).

Costs related to the removal of consequences of negative occurrences, which are caused by prohibited discharges and application of ecologically harmful substances, are covered at the expense of liable entities, according to rules established by law.

Article 31. Protection of Landscapes in the Direct Impact Zone

With purpose of protection and restoration of landscapes in the direct impact zone, the following activities are implemented:

1. complex assessment of landscapes;
2. establishment of rules for planning, programming and financing of activities directed to protection and restoration of landscapes;
3. establishment and regulation of allowable norms for load of economic and recreational (tourism) activities;
4. establishment of general requirements for the policy of development of urban, engineering, transport infrastructures, also regulation and control of design and construction works;
5. regulation of operations of functioning and newly constructed automobile and other roads;
6. registration of natural and historical-architectural monuments, establishment of rules for their protection and use in purposes of restoration.
7. requirements of this article are implemented according to rules established by the Government.

Article 32. Liability for Violation of this Law

Violation of requirements of this Law calls forth liabilities, according to legislation of the Republic of Armenia.

Article 33. Entering into Force of the Law

This law enters into force at the moment of its official publication.

Article 34. Transitional Provisions

Within one month upon entering into force of this Law, Sevan national park, other companies, institutions and organizations carrying out activities in the environment protection, natural resource

use and other fields related to Lake Sevan ecosystem, are obliged to bring their charters in compliance with requirements of this Law.