

**A thesis submitted to the Department of Environmental Sciences and Policy of  
Central European University in part fulfillment of the  
Degree of Master of Science**

**Capacity Building for National Environmental Policy:  
The Case of Armenia**

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July, 2007  
Budapest**

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Lusine MARGARYAN

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## List of Abbreviations

<b>ADB</b> –	Asian Development Bank
<b>CD</b> –	Capacity Development
<b>CIDA</b> –	Canadian International Development Agency
<b>DFID</b> –	<i>UK</i> Department for International Development
<b>ECRC</b> –	Environmental Conservation Research Center
<b>EECCA</b> –	Eastern Europe, Caucasus and Central Asia
<b>EIA</b> –	Environmental Impact Assessment
<b>ENP</b> –	European Neighborhood Policy
<b>EPR</b> –	Environmental Performance Report
<b>EU</b> –	European Union
<b>GDP</b> –	Gross Domestic Product
<b>GEF</b> –	Global Environmental Facility
<b>GIS</b> –	Geographic Information Systems
<b>GTZ</b> –	Deutsche Gesellschaft für Zusammenarbeit
<b>IUCN</b> –	The World Conservation Union
<b>LEAP</b> –	Local Environmental Action Plan
<b>LME</b> –	London Metal Exchange
<b>MDG</b> –	Millennium Development Goals
<b>MEA</b> –	Multilateral Environmental Agreements
<b>MNP</b> –	Ministry of Nature Protection
<b>NCSA</b> –	National Capacity Self Assessment
<b>NEP</b> –	National Environmental Policy
<b>NEAP</b> –	National Environmental Action Plan
<b>NGO</b> –	Non-governmental Organization
<b>NSS</b> –	National Statistic Service
<b>OECD</b> –	Organization for Economic Cooperation and Development
<b>OECD/DAC</b> –	Development Assistance Committee
<b>OSCE</b> –	Organization for Security and Cooperation in Europe



<b>POP –</b>	Persistent Organic Pollutants
<b>PRSP –</b>	Poverty Reduction Strategy Paper
<b>RA –</b>	Republic of Armenia
<b>REC –</b>	Regional Environmental Center
<b>SIDA –</b>	Swedish International Development Agency
<b>SNCO –</b>	State Non-Commercial Organization
<b>SPNA –</b>	Specially Protected Natural Area
<b>UN –</b>	United Nations
<b>UNCED –</b>	United Nations Conference on Environment and Development
<b>UNDP –</b>	United Nations Development Program
<b>UNECE–</b>	United Nation Economic Commission for Europe
<b>UNEP –</b>	United Nations Environmental Program
<b>UNFPA –</b>	United Nations Population Fund
<b>UNIDO –</b>	United Nations Industrial Development Organization
<b>WHO –</b>	World Health Organization
<b>WWF –</b>	World Wildlife Fund

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## THE CENTRAL EUROPEAN UNIVERSITY

### **ABSTRACT OF THESIS** submitted by:

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The concept of capacity building becomes more and more popular with the environmental protection as well as other sectors. Despite there is still no universal agreement on what exactly is meant by this term, most of the experts agree that all the definitions include such notions as ability of the society to identify and solve environmental problems.

According to the framework, developed in the Free University of Berlin, the successful implementation of National Environmental Policies for every country depends more on the presence of capacities of different factors, rather than selection of a proper policy tool, i.e. the ‘governmental failure’ is not always the case. The factors affecting the general ‘capacity’ are highly interwoven and cannot be understood and developed in isolation from each other.

Based on this theory, capacity building necessary for the implementation of National Environmental Policies of 36 different countries has been studied. The success or failure of the policies has been explained through the capacity situation of the specific factor and the framework proved to be applicable to any case.

Based on this model, in this thesis an attempt is made to apply the aforementioned Framework to the case of the Republic of Armenia. Each factor affecting the success of the environmental policies has been studied independently and in connection with each other. As a result of this research, capacity shortcomings for the implementation of the National Environmental Policy in Armenia have been identified and recommendations have been given for the further development. Apart from that, the further comparison of the Armenian case with other already studied countries became possible.

**Keywords:** capacity building, capacity development, national environmental policy, Armenia

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# CHAPTER 1. INTRODUCTION

## 1.1 Background

The concept of capacity and capacity-building become more and more important in the modern policy development. Sometimes it is figuratively called ‘the essential lubricant’ of the development, which is often even more important than financial inflows.

The concept of capacity was brought into view when it became clear that failure of environmental policy cannot be ascribed exclusively to the ineffectiveness of governmental intervention, or the wrong choice of a particular policy instrument. (Janicke and Weidner 1997). The shortcomings of such approach are demonstrated by the constant debates among the policy-makers in their search for the ‘panacea’ policy instruments and tools which have not resulted in any consensus so far. The main assumption was that success of any policy requires a whole spectrum of different factors, influences and interrelations, rather than a particular policy instrument, no matter how well designed (Janicke and Weidner 1997).

The idea of capacity and the realization of the necessity for its development appeared already decades ago. However, there is still no general agreement on what exactly it defines and means. This creates general confusion, resulted in appearance of such ironical terms as ‘capacity to build capacity’ and many others (Smillie 2001). Nevertheless, its importance is generally accepted, the biggest international development foundations are producing numerous documents on its development; governments include it into environmental policy acts. As it was put by the OECD (1998, 43) “capacity development for the environment is the key element for the management of environmental problems”.

The Republic of Armenia, as numerous other countries with young democracy and economical constraints, experienced difficulties with environmental protection. However, since the last decade it achieved undeniable progress in institutional, legislative, organizational sectors, as well as notable economic growth. The introduction of capacity-building approach towards its development of

National Environmental Policy (NEP) and application of the best experience in this field can result in the ‘leap-frogging’ in the country’s nature protection.

## **1.2 Thesis Rationale**

There is a need to update the general situation with the development and implementation of NEP in Armenia. Besides, the concept of capacity building is rather new; only one study applying this concept has been conducted so far, being the capacity needs self-assessment for the implementation of 3 UN Conventions in Armenia (UNDP/GEF 2004).

Armenia as a case study was selected as an example of a developing country, where NEP as well as relevant governmental institutions, legal framework and civil society is still at the stages of formation and development, with frequent visible changes, which makes it interesting to follow and analyze. Besides, the author has an advantage of being citizen of this country, has a small professional work experience in a regional environmental organization, awareness of the situation with the non-governmental sector and professional connections, which ensured better in-depth understanding of the local context.

Application of the framework developed by Free university of Berlin will place Armenia in a row with other 36 country case studies (Janicke and Weidner 1997; 2002) and will make a further comparison possible.

## **1.3 Aims and Objectives of the Thesis**

The thesis is aimed at giving a general overview on the capacity situation for NEP in Armenia starting from around year 2000 up to now. Generally the scope of the research omitted the period before year 2000, due to abundance of literature already existing on the topic, relating to the first phases of transition (e.g. Mnatsakanian 1992) as well as substantial changes which quickly make the previous policy context obsolete.

Objectives of the thesis are:

1. to identify the major capacity shortages for the National Environmental Policy in Armenia

2. to create an updated holistic picture of capacity for the National Environmental Policy in Armenia
3. to promote the introduction of the concept of capacity building within Armenian context
4. to put Armenia in a row with already studied countries and make the comparison with the capacities of other countries possible
5. to demonstrate the applicability of the adopted Analytical Framework

## 1.4 Structure of the Thesis

The thesis is comprised of seven chapters. The *first* chapter is an introductory one, where the background of the selected topic is given. Existing problems and uncertainties within the field that prompted the selection of the topic are discussed, as well as main aim and objectives of the work. The *second* chapter explores the existing literature, gradually zooming in from the general idea of capacity and the whole variety of its definition, then focusing on the capacity for the environmental policy in general and finally narrowing down to the current situation with the materials covering the capacity building in Armenia. In the *third* chapter the main methodological approaches, used in the different stages of the research are described. The next, *fourth* chapter describes in detail the Analytical Framework used in the thesis to explain the numerous factors affecting the capacity for the National Environmental Policy for every country. An attempt was made to provide description of each factor with relevant up-to-date examples, as well as explain the interconnections among the factors. Opinions of numerous different authors on the relevant factors were also incorporated. This framework is applied to the case of Armenia in the *fifth* chapter. Each subchapter is synchronized with the order of the previous chapter so that to ensure easier comparison. The information for this chapter is obtained from the analysis of the conducted interviews, existing documentation and other literature sources. The general conclusions about the whole situation with the capacity building and development of National Environmental Policy in Armenia, the main achievements and constraints, as well as the recommendations to overcome them are provided in the *seventh* chapter.

## **1.5 Limitations Of The Study**

The main limitation of the study is that the main strategic document on nature protection in Armenia, the second National Environmental Action Plan (NEAP-2), is still on its preparation stage. The objective of this large-scale project is to give strategic programme for the 5-year period (2008-2012) as well as to evaluate the implementation of NEAP-1.

Availability of this document would have provided the author with a more up-to-date and holistic picture on the development of National Environmental Policies in the country.

## CHAPTER 2. LITERATURE REVIEW

*I cannot define capacity, but I know when I see it.*

*Anonymous*

### 2.1 The Concept of Capacity

The idea of capacity in general is relatively new, emerging only in the 1980s (Lusthaus et al 2000). However, its appearance was not spontaneous and had many similar conceptual predecessors. According to the systematization provided by Lusthaus *et al* (2000), in the 1950-60s the main objective was institutional building, targeting to equip the public sector institutions of developing countries with the basic inventory. The focus was made on developing specific institutions while the model for the development was usually a mere adoption of those of the developed countries. In the 1960-70s the shift was made from the establishing of the institutions to strengthening and improving their performance as well as reaching the special previously neglected public groups. In the 1970-80s the development focus switched to human resources, paying more attention to education and health of the population. Eventually, in the 1980s-90s the focus broadened to the level of sectors, including NGOs, governments, private organizations etc., comprising so-called 'new institutionalism' approach (Lusthaus *et al* 2000).

However, there are other existing theories on the history of the concept of capacity development (CD). DFID (2006), for example, highlights three main stages of CD. First, in the 1960-70s it was focused on the individual level, providing trainings, tools and skills to the individuals in the key positions. By the late 1970s it was acknowledged that this approach did not give much result on the capacity in general. The second stage in the 1980s brought forward the role of organization, the need of their restructurization and redesign. Finally, in the 1990s it was recognized that neither individual nor organizational development separately is enough for the successful CD. The need for institutional change and reform became apparent. Two types of institutions were recognized –formal



(legal system, property rights etc) and informal (norms and values, influencing human behavior) (DFID 2006).

Thus, all the abovementioned stages resulted in the concept of CD, which incorporates many previous development approaches.

Capacity development (or capacity building, capacity strengthening, capacity enhancement etc.) is a concept with numerous definitions, each of them having specific orientation and is adjusted for particular fields. In some of them the capacity development (CD) is viewed as a process or approach, whereas in others it is presented as a development objective itself (Bolger 2000). However, most of the definitions are somewhere in between of these points of view. In all the definitions it is generally agreed, that the concept of capacity includes such notions as institutional building, strengthening and development, human resource development, development administration and management, involvement of individual groups, organizations, institutions and countries in general. For the current research, the definition proposed offered by OECD (1994, 8) will be adopted. According to it, *'capacity for the environmental protection is a society's ability to identify and solve environmental problems'*. For the list of other most commonly used definitions of capacity, see Table 1.

All the elements, comprising CD are split by Land into 'hard' and 'soft' groups (Land 2000). 'Hard' elements involve all the material development prerequisites, such as finances, infrastructure, equipment, etc. 'Soft' are all the less tangible factors, such as social capital, skills, motivation etc. It should be added that in many developing countries 'hard' capacities already exist, whereas 'soft' ones remain problematic. Thus, it can be assumed that the concept of CD is actually an 'umbrella concept' that acts as an integrating force, bringing together many different approaches that were previously isolated from each other (Morgan 1998). In fact, CD links them into a conceptually new strategy with a long-term perspective and holistic vision.

It should be mentioned that the concept of capacity is also undergoing substantial critique. As it is pointed by Morgan, the concept itself still remains quite puzzling and vague, especially from the point of view of international development (Morgan 2006). The capacity is not studied as a separate academic discipline, almost no educational or research institutions develop courses on it, and no

major UN conferences have been organized on this topic. Thus, the intellectual standing of capacity as an independent subject can be considered to be rather weak (Morgan 2006). It is also said that the absence of clarity about CD encourages its usage as mere slogan rather than meaningful concept (Lusthaus *et al* 2000).

Table 1 Existing definitions of capacity

#	Source	Definition
1.	Morgan 1999	Capacity is abilities, skills, understandings, attitudes, values, relationships, behaviors, motivations, resources and conditions that enable individuals, organizations, networks/sectors and broader social systems to carry out functions and achieve their development objectives over time.
2.	Bolger 2000	Capacity development refers to the approaches, strategies and methodologies used by developing country, and/or external stakeholders, to improve performance at the individual, organizational, network/sector or broader system level.
3.	Campobasso and Davis 2001	Capacity building is the development of an organization's core skills and capabilities, such as leadership, management, finance and fundraising, programs and evaluation, in order to build the organization's effectiveness and sustainability.
4.	Boesen and Therkildsen 2005	Capacity is the ability of an organization to produce appropriate results.
5.	OECD/DAC 2006	Capacity is the ability of people, organizations and society as a whole to manage their affairs successfully.
6.	UNDP 2006	Capacity is the ability of individuals, institutions, and societies to perform functions, solve problems, and set and achieve objectives in a sustainable manner.
7.	Morgan 2006	Capacity is that emergent combination of attributes that enables a human system to create developmental value.

Nevertheless, the recognition of the importance of CD is becoming more and more spread and has been labeled as a 'missing link' for the development (Morgan 2006). Asian Development Bank (ADB) put it as a thematic priority in 2004 (ADB 2007). UNFPA recognizes CD in the developing countries to be the core of its mandate (UNFPA 2003). This is also reflected in Chapter 37 'Creating Capacity for Sustainable Development' of Agenda 21 of Rio Summit, which stresses the importance

of capacity building. According to it, 'a fundamental goal of capacity-building is to enhance the ability to evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of potentials and limits and of needs as perceived by people of the country concerned' (Agenda 21 1992).

According to different researchers (Lusthaus *et al* 2000; Bolger 2000) it is worth describing the idea of CD in a multidimensional paradigm (see fig.1). Their frameworks have much in common, which will be shown below.

Lusthaus et al. (2000) suggest four approaches to the concept of CD: organizational, institutional, systemic and participatory.

Organizational approach has traditionally been the most common point of view to the CD. It considers organizations to be the main actors of the development and mainly focuses to how organizational structures, resources and management are connected to and affect the CD. This approach is applied to the work with governments, non-governmental organizations (NGOs) and other community and civil organizations. One of the main tasks during the implementation of this approach is to identify the components of potential capacity within the organization (Lusthaus *et al* 2000). According to Bolger, CD perspective implies that the organizational performance is influenced by internal organizational factors (leadership, relationships, skills) as well as external ones (laws, regulations, attitudes) (Bolger 2000).

Institutional approach is directly related to institutional development. Though sometimes, especially in the older literature (Lusthaus *et al* 2000), institutions and organizations were used interchangeably, the difference between them in terms of CD is getting more distinct. To put it clearer, institutions themselves sometimes are defined as “rules of the game”. This kind of approach develops the capacity to create, improve and learn lessons from the rules by which the society is governed.

Institutional approach of CD can be compared to Bolger's concept of 'enabling environment', within which the development process takes place (Bolger 2000). Naturally, the environment can be enabling or constraining, as in case of poorly conceived policies, inefficient legislation or corruption. Similarly, effective coordination and coherent policies can have a highly positive effect on

development. However, as according to Lusthaus, the definition of the CD is still quite vague, it is not always possible to clearly indicate where the mere institutional change ends and CD begins (Lusthaus *et al* 2000).

Systemic approach towards the CD is the most multidimensional one. Generally speaking it involves both organizational and institutional CD, as well as other factors, encompassing multiple levels and actors and having a holistic overview on development. According to Lusthaus, systematic approach implies that capacity should be built on and improve already existing system rather than create new systems from scratch (Lusthaus *et al* 2000). This approach makes emphasize on the linkages between the elements, it is an all-inclusive strategy which incorporates national, regional and local levels, public as well as private organizations (UNDP 1998). As it is summarized by the Capacity Development in the Environment of OECD, capacity systems are dynamic and interconnected patterns. In general, this approach is viewed as the most flexible, holistic, interdependent and comprehensive one (OECD 1996a; Lusthaus *et al* 2000).

Participatory approach of CD is actually the most people-centered approach. It is overlapping with the all other approaches, stressing the importance of local expertise and development of so-called grassroots. It is closely connected with the concept of local empowerment. This notion is correlated with individual level of CD framework suggested by Bolger, which is mainly referred to development of the capacity of the locals, such as small farmers, engineers, planners etc. (Bolger 2000).

Other existing frameworks of CD are also overlapping with those mentioned above. Thus, DFID stresses the importance of individual, organizational and institutional levels and the linkages among them, saying that “turning individual competence into organizational capacity requires institutional change” (DFID 2006, 3). UNDP recognizes the most important levels of the country’s capacity to create individual, organizational and enabling environment (UNDP 2005). Horton in his framework also adds the role of national and international levels for the CD (see fig. 2). Thus he defines the 3 levels of CD – micro- (individual), meso- (organizations) and macro- levels (national and international) and gives them equal importance (Horton 2002).

Other approaches, besides all the abovementioned, also suggest stakeholders' role to be an important factor for the CD. According to Rademacher (2005) stakeholders are the beneficiaries and supporters of the development, and their interests, expectations and behavior are having a substantial impact on the CD.

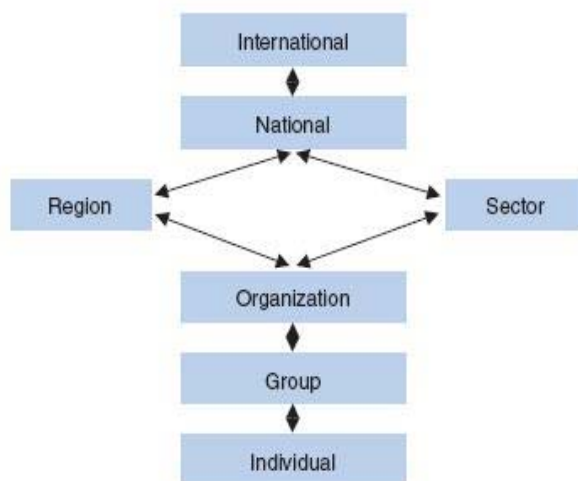


Fig. 1 Capacity development framework by Horton  
 Source: Horton 2002

Morgan (2006) tries to unify all the existing approaches by defining the capacity to be “an ability to do something”. He conceptualizes the capacity through five core capabilities, which are present in every existing approach: to act, to integrate, to adapt, to relate and to generate results (Morgan 2006). The capability to act is the most basic and simple one. It integrates all the aforementioned levels of CD, expressing the individual, organizational and institutional energy. It is mainly about the ability to overcome constraints and implement their own decisions. For example, in many developing countries, non-governmental organizations do not have enough power to act, due to governmental intrusions and lack of democracy. Another typical constraint is lack of financial resources. For the case of Armenia for example, it is almost total financial dependence on international organizations, which is undoubtedly playing a decisive role in the character of their activity.

The capability to integrate can be described as the ability to achieve coherence and to bring things together (Morgan 2006). In other words, every system, despite having a wide range of different capabilities, personalities, skills and perspectives needs to find ways of integrating them. Otherwise, there is a possibility of its falling apart.

The capability to adapt describes the ability of the organization to be flexible and open towards new ideas and the changing environment. Dealing with change is one of the most important abilities for the CD (Morgan 2006).

To relate to other actors in a productive way is also quite important feature for CD. In other words, no system is able to function on its own, since it also need to gain support from other actors as well. In case of organizations and institutions there is a need to enter informal/formal alliances and partnerships. This feature is quite crucial for low-income developing countries, where institutional and organizational infrastructure is still to be established. Mainly this is necessary to secure the space in which the system is operating.

Capability to generate results is another most common way to describe CD issues. As was already mentioned above, the capacity is viewed as the ability to produce outputs or results (Boesen and Therkildsen 2005). Undoubtedly, in order to generate appropriate results, the successful provision of the aforementioned four capabilities is necessary. However, generally speaking, this approach (performance oriented) pays more attention to the short-time goals, which lets it to be assumed that this strategy is justified in some cases but not all the time.

According to Bolger (2000, 2) the concept of capacity can also be distinguished by a number of key principles, which can be summarized as follows:

- broad participation and locally created agenda
- specific stress on the development of the local skills
- large-scale learning
- long-term investments and programmes
- integration of various levels and sectors for addressing complex issues

Thus it can be concluded that there is no major contradiction among the existing approaches towards the CD and there are enough common grounds for the cooperation between different sectors and organization and ADB even talks about the “new consensus on the CD” finally established within the international community (ADB 2007).

## Capacity Development: Conceptual Framework

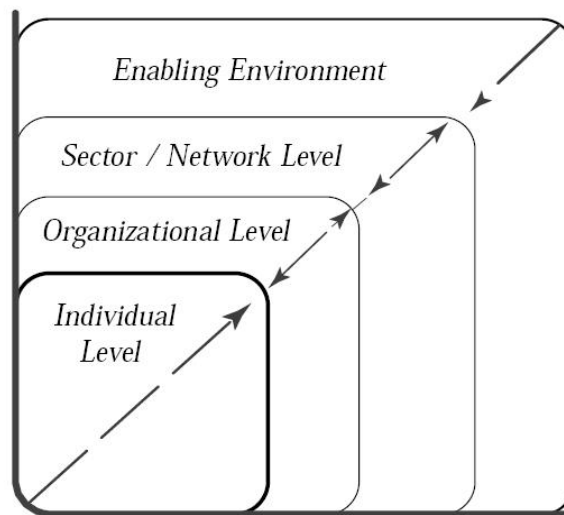


Fig. 2 Capacity development conceptual framework by Bolger  
Source: Bolger 2000

However, apart from the absence of the consensus on the definition of CD there is also no general agreement on what is the main goal on developing capacity. ADB (2007) acknowledged that CD is not only means but a goal with its own right. GTZ sees it both an end in itself and means to an end (GTZ 2003). 'Means to an end' involves the realization of development-policy objectives, whereas 'an end to itself' mainly envisages effective organizations and responsible citizens, who take an active part in creating the future of the country they live in as well as improving their own well being (GTZ 2003). However, the UN for example, in its publications mainly refers to the CD as a means towards achieving certain goals, such as poverty reduction, gender equality, sustainability etc., it is not mentioned as a separate goal in the Millennium Development Goals (UN 2000). Choritz (2002) for example sees CD as a driver in achieving effective development along with many other examples. However, this debate of 'process as an outcome' vs. 'product as an outcome' is typical not only for the CD but also for other fields. As it is mentioned by Sen (1999) the same debate is going around the concepts of democracy and participation. Besides, according to him the development itself should not be measured by conventional targets, such as services and goods, but rather by the increasing options available to people in their lives. In other words, the freedoms are

coming as a capability of people to chose their own way of life (Sen 1999). Thus, Sen's concept was innovative, in terms of reshaping the development results into means and not ends as it had been considered before.

Therefore it can be concluded, that the perception of capacity as both the means and the goal is becoming more and more general, and this very approach will be adopted in this study.

## **2.2 Why Capacity Development is needed?**

Despite the absence of common definition of the CD there is a universal agreement on the importance of it. Usually it is mentioned that the appearance of the concept of capacity is the response to the generally acknowledged shortcomings in the development assistance and environmental policy performance in the developing countries (Bolger 2000). As a consequence of this short-coming the sustainable impact in the priority areas (e.g. poverty reduction, sustainable environmental management etc) in different countries has been limited. The concept of capacity thus encompasses all the former experience of the environmental policy development and offers approaches of more integrated, systematic and result-oriented character. Malik (2000) distinguishes three types of capacities that are vital for sustainable development:

- vision, which means establishing the right priorities for the development;
- institutions, to support the established vision
- social capital, to implement the set goals.

According to Bolger (2000, 2) CD is needed in order to achieve a number of objectives, the most important of which are:

- to improve and utilize existing skills, abilities and resources in a more effective manner.
- to improve understanding and relationships among the local problems
- to support sustainable development by addressing the issues of local conditions, motivations, values, approaches etc.



Despite this, according to some other authors (Berg 1993) there still should be cautions against applying the CD as a panacea towards all cases. Instead, CD should be a response towards specific problem and situation.

Generally it is agreed that the concept of CD is important for the development of self-help and building of domestic capacities as a firm basis for self-reliant development (Choritz 2002). As the proverb goes, ‘do not give fish but give an angle’. The importance of the CD in the developing countries can also be proved by its presence in the Millenium Development Goals (UN 2000) costing as a separate budget line (see table. 2), besides, CD is consistently referred to as ‘one of the critical missing factors in the current efforts to meet MDGs’ in the MDG progress reports (ADB 2007, 1).

Table 2. Estimated cost of meeting the MDGs (in 2003 \$US billions)

Category	Estimated cost in 2002	Projected for 2006	Projected for 2010	Projected for 2015
MDG support needs in low-income countries				
MDG financing gap	12	73	89	135
<b>Capacity Building to achieve MDGs</b>	<b>5</b>	<b>7</b>	<b>7</b>	<b>7</b>
Grants in support of heavy debt burden	-	7	6	1
Debt relief	4	6	6	6
Repayments of concessional loans	-5	0	0	0
MDG support needs in middle-income countries				
Direct support to government	4	10	10	10
<b>Capacity Building to achieve MDGs</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>
Repayments of concessional loans	-6	-3	-4	-6

Source: data based on OECD-DAC 2004.

URL: [http://www.unmillenniumproject.org/reports/costs\\_benefits2.htm](http://www.unmillenniumproject.org/reports/costs_benefits2.htm)

Besides, as it is stressed by Janicke and Weidner (1997, 19), the concept of capacity is also a very important “heuristic tool”, which enables to analyze environmental policies and their efficiency. This very approach will be emphasized in this research with the Republic of Armenia as a case study.

## 2.3 Capacity for the Environment

As was already mentioned above, capacity problem is not unique to environmental field but can be found in other policy areas. Environmental policy, however, can be considered as one of the main fields for the discussion of the capacity limitations. The concept of capacity marks the limits and preconditions to successful solution for a given environmental problem. The most common limitations, especially in the developing countries, can be the lack of technological, financial, and human resources, lack of professional knowledge, weakness of relevant institutions and organizations etc (for the case of Armenia, they will be discussed in more details further). In some works, such limitations were not seen as a problem of capacity, but rather a 'governmental failure' in case of governmental intervention (Luhmann 1990). However, it should be stressed, that such vision can already be considered a matter of the past, since capacity as an independent concept has already established itself within the modern theory of environmental policy. This means that failure in the policy for the environment cannot be explained simply by the wrong choice of instruments and tools.

In general, according to Janicke and Weidner (1997) the usefulness of the capacity for the environment can be summarized as follows.

First it stresses the importance of the objective limitations for the implementation of the policy by a given country. The right choice is important but so as the availability of other options, which is actually a capacity. Second advantage identified by the same author is the close relationship to the concept of sustainable development. Indeed, sustainable development in terms of local empowerment, long term projects and solutions is the CD as well, and achieving one is impossible without the achieving another. It makes it easier for the governments to design policies which will satisfy both. The third advantage is directly related to the topic of this thesis. The concept of capacity provides a tool to compare the abilities of different countries as well as to follow the development of these abilities within the given country (Janicke and Weidner 1997). Based on the chosen analytical framework, the capacity of environmental policy in the Republic of Armenia will be investigated.

## 2.4 Studies on National Environmental Policies

The literature describing the national environmental policies is growing rapidly. Much is written about the policies dealing with different kinds of pollution and consumption of resources and the evolution, effectiveness, costs and benefits of environmental policies dealing with that problem. As the literature focuses on environmental policies and their causes, consequences and effectiveness, it is not surprising that much of it covers the policies of individual industrialized countries, since naturally it requires much investment. The literature on environmental policies in the United States for example, is quite vast. Comparative studies referring environmental policies are also growing quite rapidly, especially describing specific environmental policies in two or more countries (Desai 2002). Those studies are quite important, considering the global impact the industrialized countries have had on the environment throughout the historical development.

Usually, the policy studies have three major perspectives (Desai 2002, 3). First of all, they are describing the existing policies themselves, including the specific policy areas as well as tracing the historical development and marking the changes between the current and previous policies. Detailed description of the existing policy as well as historical perspective is equally important for better understanding and further development of policies.

Second approach is dealing with the reasons why and how the existing policies appeared and how they change. As it was pointed out by Blomquist (1999), they usually involve big number of cases and sophisticated data and analysis techniques. This approach is mostly interested in developing theories of different kind of policies.

Third approach is focusing on the evaluation of the effectiveness of the policies and identification of the factors affecting and explaining it. These studies compare the actual effects of the policies and the intended effects (actually, the intentions of policy makers). They also deal with identifying the causes for the differences in the effectiveness.

This approach is very close to analyzing the capacities, since their very presence or absence can actually play a decisive role for one policy to produce expected results and another one to fail. The

present research, studying the capacities for the NEP in the Republic of Armenia will be conducted from this perspective.

## **2.5. Studies on Capacity Development in Armenia**

Literature, analyzing environmental policies in Armenia is still extremely scarce. The same refers to capacity-building, since the concept itself is very new and not yet fully acknowledged by local institutions. Certain studies have been conducted by the initiative of international organizations. The most prominent relevant study was conducted with the support of GEF and UNDP. In 2001 GEF acknowledged the importance of capacity building in the developing countries allocated funds for the local capacity assessment. The initiative resulted in Armenia's National Self-Assessment for Global Environmental Management (NCSA) which focuses on identifying legal, regulatory and institutional gaps for the implementation of Multinational Environmental Agreements (MEAs) Armenia is party to. To be more precise, the given study assesses the capacity of Armenia for the implementation of UN conventions on Biodiversity, Climate Change and to Combat Desertification (UNDP/GEF 2004). These specific conventions were selected due to their particular significance for Armenia.

Another large-scale document, partly dealing with the analysis of the capacities for the environmental protection is Environmental Performance Reviews (EPR) conducted in 2000. The study revealed the lack of capacities and heavy dependence on a number of political and economic factors, limiting the effectiveness of environmental management (EPR 2000). It has to be mentioned, that the study got a lot of criticism in Armenia due to lack of full understanding between the local and international experts.

A number of short capacity reviews have been conducted by local NGOs, covering only specific environmentally significant issues. Among them is the initiative of Aarhus Center to build capacities for tackling the priority environmental problems in Armenia, such as biodiversity protection, public participation, prevention of deforestation etc (Ecolur 2006). The publications on these issues are quite small-scale and lack in-depth approach.

Certain relevant information on the CD can be acquired from indirect sources, such as general assessment of NGO sector (Blue and Ghazaryan 2004), Ministerial Reports (MNP 2006), implementation reports of different conventions (Iskoyan 2006) and many others.

However, it can generally be concluded that CD as a separate concept is not yet fully adopted and consequently, is not sufficiently reflected in the literature. A humble contribution to fill this existing gap will be done by the current research.

## CHAPTER 3. METHODOLOGY

### 3.1 Research Design

In this thesis *qualitative* research method has been used. As it was pointed out by Tailor and Bogdan (1984), the qualitative research is *inductive*, meaning that the conclusions are based on the understanding of collecting data, rather than the data is collected to assess a certain preexisting theory (deductive method used in quantitative research). Therefore, the conclusions on the situation with the capacity for the NEP were done only after data collection and theoretical analysis.

Besides, the goal of this thesis was to provide a broad overview of the capacity development specifics for the National Environmental Policy rather than in-depth analysis of separate factors.

### 3.2 Research Framework

The current research adopts a framework developed by Janicke and Weidner (1997) in Free University of Berlin. The framework was already applied to 36 country case studies and has proved to be successful and helpful in analyzing intricate national environmental policies and enabled cross-national comparison of those policies, which resulted in publishing the second volume of the studies (Janicke and Weidner 2002). Different types of countries, industrialized, developing and transition ones are covered and the generally identical design of the studies makes it easier for the readers to make comparison. The same pattern will be sustained in the current research to fit the case study of Armenia into the same row and make the further comparison possible.

The framework is comprised of 5 main factors (sections) – a) actors, b) strategies, c) systematic d) framework conditions, d) situative context and e) problems. For detailed explanation and description of the framework and its components see Chapter 3. By analyzing the main features of Armenian environmental policy in the context of the given framework the current research confirms the usefulness of the model. The aforementioned categories used for the analysis of the capacity and are summarized in the following model, where capacity defines the necessary conditions for successful environmental policy (Janicke and Weidner 1997, 8)

Table 3. Capacity for the environment and its utilization

1.	<b><i>Capacities for the environment are constituted by:</i></b> The strength, competence and configuration of organized governmental and non-governmental proponents of environmental protection
2.	a) cognitive –informational, b) political-institutional, c) economic-technological framework conditions
3.	<b><i>The utilization of the existing capacity depends on:</i></b> Strategy, will and skill of proponents
4.	Their situative opportunities
5.	<b><i>This has to be related to:</i></b> The kind of the problem: its urgency, power, resources and options of the target group

Source: adopted from Janicke and Weidner 1997

### 3.3 Data collection

#### 3.3.1 Literature review

The first stage of the research includes literature review on the chosen topic, i.e. current international studies on capacity building and development. The focus was made on the studies conducted by independent researches, as well as international development organizations, such as UNDP, CIDA, GTZ etc. Reviewing literature of this kind helped to get an in-depth understanding of the essence of capacity building for the environmental policies, based on the experience of many developing and developed countries of the world.

The literature was obtained from the Central European University (CEU) library, internet databases (EBSCO Electronic Journal Service, JSTOR Journal Storage, Questia online library etc.)<sup>1</sup> and different documentation available at the internet home pages of relevant organization.

Second stage includes literature review narrowed down to the relevant existing literature referring to the Republic of Armenia. Though quite scarce, substantial information was obtained from indirect sources, such as different country reports, bulletins, periodical, publications of international

<sup>1</sup> Please visit: URL: <http://ejs.ebsco.com/Home.asp>, <http://www.jstor.org/>, <http://www.questia.com>

organizations, local NGOs and other documents available on –line. Special attention was paid to reviewing legislative literature due to its importance in the Armenian context.

The literature was mainly obtained from internet sources (home pages of MNP, different international organizations and local NGOs). During the trip to Armenia, the relevant literature was collected from the Ministry of Nature Protection of Armenia, libraries of Regional Environmental Center for Caucasus (REC Caucasus)<sup>2</sup>, Public Environmental Information Center (Aarhus Center)<sup>3</sup>, Environmental Conservation and Research Center of American University in Armenia (ECRC AUA) and other sources.

### 3.3.2 Interviews

For the research, 9 interviews of various types were conducted during the trip to Armenia. *Unstructured (non-standardized)* in-depth face-to-face and *semi-structured* face-to-face types of interviewing methods were used for obtaining the data. As it was mentioned by Punch (1998, 178) the unstructured interview is “a powerful research tool, widely used in social research and other fields, capable of producing rich and valuable data”. During the semi-structured interview, open-ended questions were asked. The questionnaires are not annexed to the thesis, since they were developed individually for each interviewee, due to different fields of their specialization. Each respondent represents different spheres and has different areas of expertise, therefore, no single questionnaire was possible to apply. All the questions asked were developed in relation with the research objective and aims.

For the selection of interviewees, *purposive (non-random) sampling* method was applied. As it was pointed by Wilmot (2005, 3) ‘with a purposive random sample the number of people interviewed is less important than the criteria used to select them’. The selection of the interviewees was based on the previous work experience of the author (REC Caucasus) which enabled to have a holistic picture of the situation with environmental policy in Armenia. An attempt was made to contact representatives of all the fields according to the used framework (governmental structures, international organizations, local NGOs, experts). Besides, *snowball sampling* method was also used

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<sup>2</sup> Please visit: URL: <http://www.rec-caucasus.org/>

<sup>3</sup> Please visit: URL: [http://www.armaarhus.am/index\\_eng.html](http://www.armaarhus.am/index_eng.html)



in several cases. The list of interviewees, organizations they represent as well as the data requested from them can be seen in Annex 1.

Personal interviews helped the author to fill the gap of secondary data and understand better the current problems and trends existing in the development of the NEP and its implementation.

### 3.4 Data Analysis.

Data For the analysis of the existing data, the *circular qualitative data analysis* method was used, adopted from the approach described by Dey (1993) including describing, classifying and connecting stages (see fig. 1).

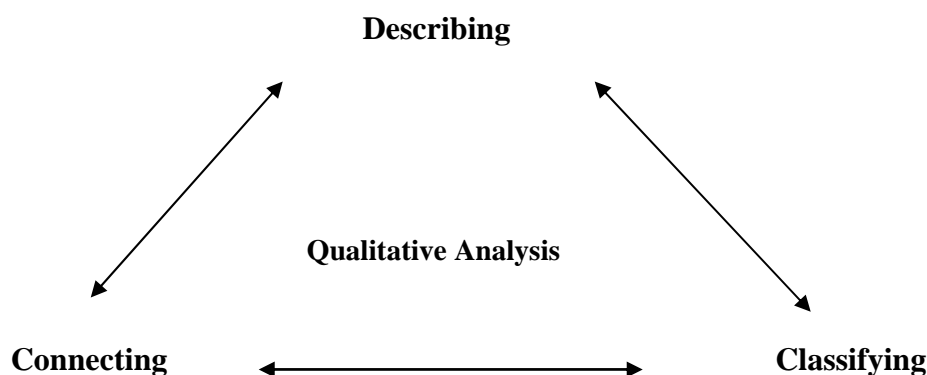


Fig. 3 Circular Qualitative Analysis  
Source: adopted from Dey 1993

The first step in the analysis is the description. Despite the description method is sometimes looked upon skeptically within the scientific research, giving a comprehensive description of the objects of the study is a very important stage, putting a base for the further development (Dey 1993). The description method is used to provide a general idea of the main concepts used, the applied framework as well as separate factors, comprising it. The information obtained from the primary and secondary sources was used to provide a thorough description of the capacity-building component in general and in Armenia in particular. Then, in accordance to the adopted Framework, each set of data was 'classified', filling the relevant niche within it. Then, the holistic picture is tried to be constructed, based on the identification of connections and linkages between the different factors.

As it is shown on the fig. 3, the process is circular, all the stages are repeating throughout the research.

Apart from that, the approach proposed by Desai (2002) to analyze the environmental policies has been incorporated to the analysis. According to it, the main focus is placed on the effectiveness of the environmental policies in dealing with environmental problems (i.e. goals set and goals achieved). Though, it is still a challenge to give a strict answer whether the given policy is successful or not and as it was put by Kraft and Vig (1997, 19), “it is difficult both conceptually and empirically to measure the success or failure of environmental policies”.

### ***3.4.1. Selection of Capacity Development Indicators***

The use of capacity building indicators plays quite an important role for its monitoring, evaluation and further improvement. However, the selection of appropriate criteria for the CD indicators is quite a difficult task. As it was pointed out by Global Environmental Facility (GEF), “...despite the decades of international assistance, it is still difficult to find good examples of indicators that have been used effectively to measure or assess capacity development...” (UNDP/GEF 2004b). There are different reasons that cause this confusion. First of all, the concept of capacity itself is still uncertain and amorphous, making it hard to answer what exactly is necessary to find out, identify or measure. Besides, it is difficult to find a common approach to such different spheres of capacity as for example development of national policy or individual professionalism of environmental journalists. However, there are certain general principles that make it possible to find common grounds with all the existing definitions and understandings of the capacity and develop efficient indicators. For example, since most of the definitions agree the capacity is both the process and the result<sup>4</sup>, the usual approach towards selection of indicators on the traditional ‘inputs-outputs’ basis is not appropriate, and focusing on the development itself would be more relevant (Morgan 1997). Thus, while selecting the indicators, more attention was paid to the behavioral change and the process of capacity development. It has be added that due to the same reason, in this context qualitative indicators are usually preferred over quantitative ones (naturally, without questioning their importance in general).

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<sup>4</sup> For more details on the definition of the capacity, please see Chapter 2.1

According to the UNDP/GEF Resource Kit (2004b, 5) the most successful CD indicator frameworks usually included (capacity referring to systemic, institutional and individual levels):

- capacity to conceptualize and formulate policies, legislations, strategies and programmes
- capacity to implement policies, legislations, strategies and programmes
- capacity to engage and built consensus among all stakeholders
- capacity to mobilize information and knowledge
- capacity to monitor, evaluate and learn

Based on these general guidelines the capacity-building indicators were selected for each part of the framework to be applied for the case study. The selection of indicators was considered to be necessary in this research, to know beforehand what to pay attention to, to ensure better understanding of the overall situation as well as track the changes that happened in this or that component throughout time. The conclusion on how each of them affected the capacity for National Policies was also better demonstrated better via indicators.

Table 4. Selected indicators of Capacity Development

<b>Factors</b>	<b>Sub-factors</b>	<b>Selected Capacity Indicators</b>
<b>Actors</b>	Governmental	Existence of separate governmental institution (Ministry etc.) responsible for environmental protection
	Non-governmental a. NGO  b. media  c. business sector	a. collaboration of NGOs with the governments and regular participation in the decision-making process b. existence of specialized training courses for ecojournalists c. existence of eco-labels and licenses
<b>Strategies</b>	-----	Long-term goals are set and various instruments are selected to achieve them.
<b>Structural framework conditions</b>	Cognitive-informational	Aarhus Convention is implemented
	Political-institutional	Horizontal and vertical cooperation on subnational, national and international levels
	Economic-technological	Successful law enforcement
<b>Situative context</b>	-----	High level of public awareness is positively affecting the solution of the existing problems
<b>Character of the problem</b>	-----	The threats are clearly visible and understood by the population

## **CHAPTER 4. THE ANALYTICAL FRAMEWORK FOR COMPARATIVE STUDIES ON CAPACITY-BUILDING FOR NATIONAL ENVIRONMENTAL POICIES**

The abundance of literature on environmental policy provides a big number of theoretical and analytical frameworks, as well as conceptual schemes to analyze the policy process. Sabatier (1999) identifies 11 theoretical frameworks, some of which have already been discussed above (Horton 2002; Bolger 2000). For this research, the framework developed in the Free University of Berlin is considered the most appropriate and will be applied to the case of Armenia (see fig 4).

The abovementioned framework gives a vision, where “environmental problems make the actors to develop and implement strategies under systemic conditions and within a situative context” (Janicke and Weidner 1997, 4). The outcome is shaped by a number of factors, which will be discussed in more detail below.

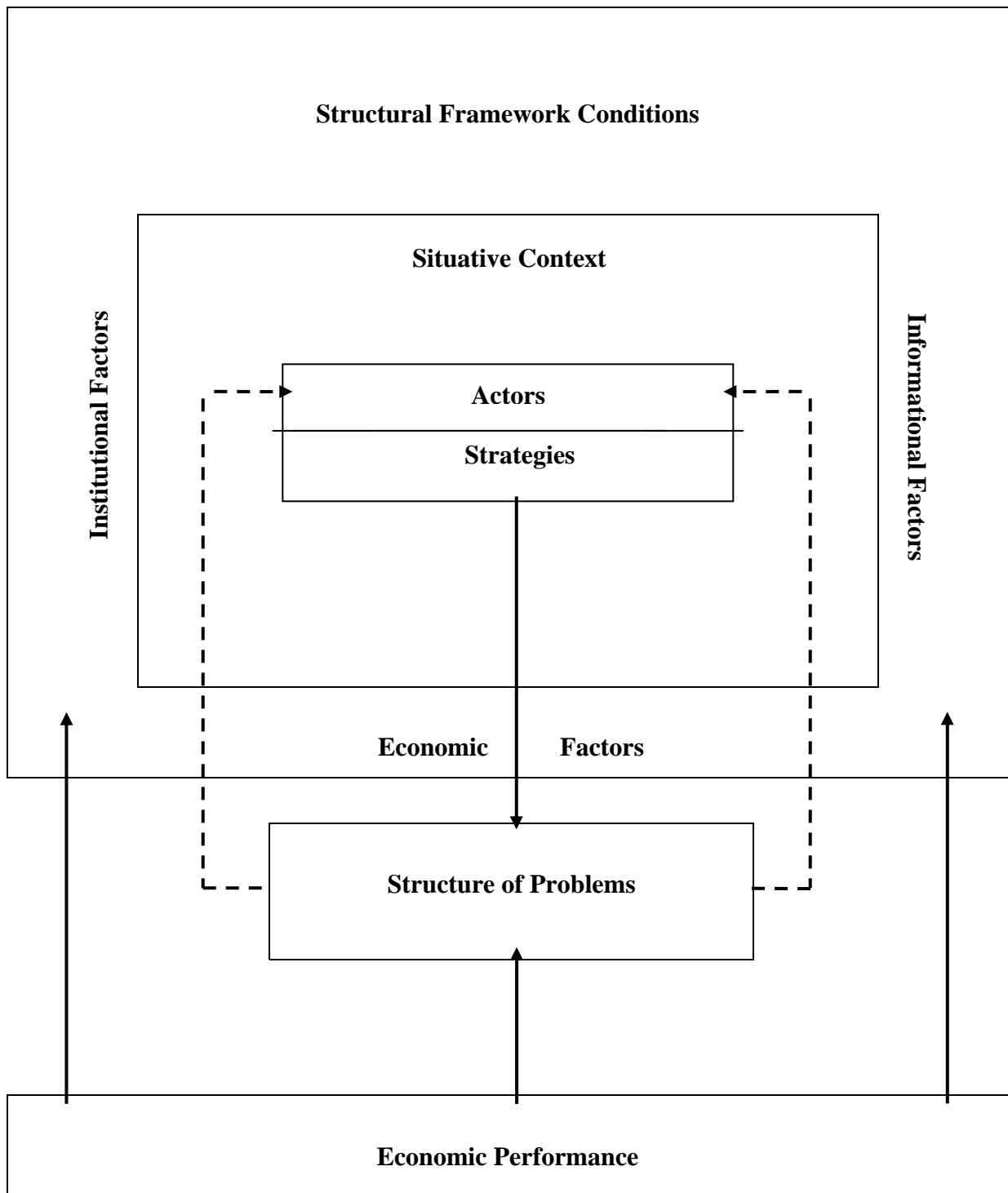


Fig. 4 Analytical Framework  
 Source: Janicke and Weidner 1997

## 4.1 The character of the problem

*"A hypothesis is always preferable to the truth, for we tailor a hypothesis to fit our opinion of the truth, whereas the truth is only its own awkward self. Ergo, never discover the truth when a hypothesis will do." -- Niccolo Machiavelli, The Prince (1513).*

It can be said that the character of the problem defines its solution. Whether the problem is urgent right now and is clearly visible by the public or is latent and its consequences will be visible only to future generations makes a big difference in the approaches towards it. A good example is the comparison between the dealings with the problems of the depletion of the ozone layer and the climate change. Protecting the ozone layer is an example of unprecedented cooperation, which resulted in the Vienna Convention and its Montreal Protocol, setting new standards for international relations. The reason for such effectiveness can be explained by the character of this problem. First, the ozone depletion poses an imminent and clearly visible threat for the whole humanity, regardless of the geographical location, level of income of the population etc. Second, the problem was clearly visible and easy to perceive by the vast majority of the population. As soon as the reputable scientists reported the layer being destroyed over Antarctic and the results will likely be the increment of cancers, cataracts, crop failures and reduced immunity, the media responded with the headlines and aroused the public for the quick action (Tolba and Rummel-Bulska 1998). The media positioned the problem as an “ozone hole” and provided a lot of colorful images where the “hole” was frighteningly distinct. Besides, the problem was not controversial; it was equally bad from all sides, without the possible to identify any beneficial and positive dimensions. Shortly put, ‘scientific certainty mobilizing public concern makes the difference’ (Tolba and Rummel-Bulska 1998, 85).

The problem of the climate change, despite being a global one as well, is obviously less successful in terms of policies, targeted at its solution. The reasons are also clearly seen in its characteristics. First, the problem of climate change seems not to pose any direct danger to our generation. Curiously enough, the famous expression of the French King Luis XIV “*Après moi le deluge*” has a direct implication and actuality for this case. Second, the problem is not easy to grasp for non-scientific masses. Increase of the temperature by 1-2 degrees Celcius does not frighten those who do not understand the interconnectedness of the nature and possible negative consequences. Besides,

the problem continues to be kept controversial; there are debates even on the scientific level<sup>5</sup>. Some scientists deny the phenomenon of the global warming at all (Klaus 2007), others manage to highlight certain positive points of it, such as cultivation of the permafrost territories in Canada or Russia (Stampf 2007) or find environmental benefits from the increase of CO<sub>2</sub> concentration in the atmosphere. Others expect any measures against the global warming to have very negative effects on the technological development of the developing countries. These points of view are actively promoted in the media as well, continuing to confuse the people, keep them relaxed and not ready for the straightforward action. Convincing the world community of the reality of the global crisis, clarifying the existing gaps and ambiguities, make the problem *real* will undoubtedly result in shaping the coherent policies targeted to its solution.

Sadly enough, but the similar type of traits characterize the problem of biodiversity loss. Despite this problem is sometimes considered number one environmental problem by international environmental organizations (UNEP, IUCN, WWF etc) it is miles far away from solution. Again, the same reasons can be identified. People see no imminent danger in the loss of certain non “star” species, some can even see benefits in the disappearance of blood-sucking or disease transmitting insects etc. Besides, no distinct solution exists; it involves a complex of interconnected measures.

The same principle works on the local level. If it is a matter of a particular pollutant, it makes difference whether it has immediate tangible effect, of it is latent and threatens only the well-being of future generations.

## 4.2 Actors

Actors for in national policies are usually defined as proponents and opponents of specific issues, the support groups and also parties (Janicke and Weidner 1997). As the process of CD in general starts with the institutionalization of the new policy area, creation of ministries for the environment and environmental agencies is considered to be the first step on this way. As was stated in the study on difference in performance in eighteen OECD countries in the last two decades, “institutional

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<sup>5</sup> Over 17,000 scientists are claimed to have signed the petition against the urgency of global warming, initiated by the Oregon Institute of Science and Medicine in the US. URL: <http://www.oism.org/oism/s32p31.htm>

arrangements have profound impact on environmental performance of a country” (Jahn 1993, 3). Three kinds of important proponents are identified: a) business and industry b) federal and provincial government c) international organizations, which are all central actors in the environmental policy in the industrialized countries (Desai 2002, 8). According to Desai (2002), these proponents play the central role in the environmental policy arena in the industrialized countries.

According to the framework adopted in this research, the following main actors were identified which can actually be divided into 2 groups (Janicke and Weidner 1997, 11):

a) Governmental institutions

b) Non-governmental proponents, which include:

- green interest organizations
- the media
- the “green” business sector

#### ***4.2.1 Governmental Institutions***

It goes without saying that creation of the capacity for any field starts with its institutionalization. Generally speaking, the main proponents of environmental policy are usually considered to be specialized government environmental protection institutions. Many examples are present from environmental as well as other fields (e.g. creation of National Agencies for Equal Opportunities throughout the EU countries to tackle gender discrimination etc.). After the increased public awareness and concern towards environmental issues in the 1970s environmental protection started to be institutionalized. Most industrialized countries established relevant agencies or ministries, which undoubtedly was the first step towards bringing the environmental protection to the level of governmental policies. In general, existence of special governmental institution responsible for nature protection says much about the general situation with environmental protection in the given country. For example, in case of Russian Federation, when the Department of Nature Use and Nature Protection was merged with the Department of Energy, the environmental issues were



absolutely down the priority list According to Larin *et al* (2003) the representatives of the environmental department were viewed as saboteurs for their unwillingness to approve the environmentally unacceptable projects and programmes, thus destroying the consensus existing with all other agencies and ministries on the implementation of policies of natural resource-dependent economy. No wonder that environmental problems did not attract the proper attention within the governmental policies (Larin *et al* 2003)<sup>6</sup>.

Indeed, in the 36 cases done by Janicke and Weidner (1997), it is clearly visible that environmental protection improvements on regional and national level, governmental regulations were the most important factor for change.

UNDP/GEF Resource Kit (2005) suggests that CD at the institutional level is mainly aimed at improving organizational structures, increase cooperation among other departments within the organizations as well as with 'outside environment'. This can only be achieved through improvement of the information systems (UNDP/GEF 2005).

#### ***4.2.2 Non-Governmental Proponents***

##### **a) Green Interest Organizations**

Green interest organizations are very important for the modern environmental policy development and quite often they are more efficient in providing rapid change, awareness raising etc. in environmental matters. Some analysts even speak about 'NGO phenomenon' referring to the dramatic growth of environmental non-governmental organizations and their growing influence on world environmental politics (Princen and Finger 1994).

Non-governmental sector comprises of such pool of organizations that is established by people by their own free will. The range of environmental non-governmental organizations is extremely big, varying from the small active group formed to organize the cleaning of the neighborhood to the global scale organization such as Greenpeace, WWF etc.

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<sup>6</sup> It should be noted that now the ministry responsible for environmental protection in RF is named Ministry of Nature Resources, which says much about the environmental policies it implements.

NGOs have different functions and roles, among which are “enhancing the knowledge base” (Oberthur *et al.* 2002, 10), by gathering environmental related information and disseminating it among the population, providing advocacy and lobbying of the environmental issues, insuring transparency of the decision-making and other provisions guaranteed by democracy.

It is a well-known discourse that policy-making in environmental field decisions are quite often made in the circumstances of uncertainty (scientific, political, strategic) (Riedinger 2001, Oberthur *et al.* 2002 etc). In this situation NGOs are quite often powerful actors in addressing these uncertainties and increasing the knowledge for policy decision-making. For example, Greenpeace International has become quite an important provider of information regarding illegal trade of hazardous wastes as well as adviser to the many African states in international negotiations on these issues (Oberthur *et al.* 2002, 41). Apart from providing information, NGOs are also directly involved in influencing the policy-makers by lobbying and advocacy of pro-environmental decisions.

The ability of NGOs to affect the formation of environmental policies is defined by the term “participative capacity”, referring to the openness of the governmental structures (Mason 2000). As it is observed by numerous capacity analysts (e.g. Morgan 1998; Janicke and Weidner 1997; Mason 2000 etc) the development of environmental policy goes hand in hand with the increase of participative capacity of the governmental institutions. Broadly speaking, the civil culture of every country, for the NGOs in general and environmental ones in particular, can figuratively be compared to a lake where the NGOs are ‘swimming’, as suggested by Blue and Ghazaryan (2004). The democratic society is formed by the civil culture of the country, but at the same time it influences the development of the culture as well. Therefore, if the lake is polluted or lacks proper nutrition, NGOs will not have any opportunities for development, will lose their independence and will eventually disappear. On the other hand, if NGOs are not transparent and are difficult to reach for their stakeholders, or are exercising authoritarian management, they are creating a civil culture, which is characterized by lack of trust of from the public and disrespect towards democratic values (Blue and Ghazaryan 2004).

In the developing countries, one of the main problems for the development of successful civil sector is the dependence of the NGOs on the foreign donor organizations. As it was pointed out by Fukuda-Parr *et al* (2002) it can result in high level of management fragmentation, where the donors

sponsor individual programs and demand from the organizations specific reporting standards, which is very resource and time consuming. Besides, Apart from that, the donors are usually very target oriented, whereas capacity development is both ‘means and ends’ as it was mentioned above (Fukuda-Parr *et al* 2002). This shortcoming was also pinpointed by Campobasso and Davis (2001) saying that NGOs find it easier to find support for single projects with visible outcomes, rather than find resources for their own internal development (i.e. capacity). Thus, it lets to be concluded, that this is quite a wide-spread paradox, typical not only for the developing countries but for the developed ones as well.

In one word, capacity building of the NGO sector is necessary to successfully ‘fill the void’ left by the government and business sectors (De Vita and Fleming 2001, 18) and it can be concluded that by their activities NGOs promote not only the issues they have direct connection and interests, but the development of democracy and civil culture of the society in general.

#### b) Media

As it was put by Palmer (2004) media plays a very important role as a ‘socialization agent’ for the environmental protection. As it is known, media is often called a “fourth power”, meaning that human behaviour, attitudes and opinion is largely shaped by the media, which is undoubtedly reflected on the situation with environmental protection.

In the industrialized countries media has been perceived as a ‘watchdog’ for the environmental reporting and raising the awareness of the population in the environmental issues, environmental journalism as a profession is growing in its importance and respect (Moore 2001).

However, the process of environmental journalism development is not linear. Some scientists argue that the trend is actually going backwards, and there has been a tangible backlash in Europe and the North America. According to Thorgesen (2006) environmental protection has been hitting the headlines more than two decades, and created favorable climate for business to go green and get into the media. However, in the recent years, the media attention towards the environmental issues and green business is starting to fade, since they seem to be perceived not ‘newsworthy’ enough. (Thorgesen 2006). This situation will undoubtedly have negative impacts on environmental

awareness among the population, their concern about the environmental issues and as well as will deprive business of another stimulus to go green.

On the other hand, as it was pointed out by Janicke and Weidner (1997) highly commercialized mass media can develop close connections with economic sector and reflect their interests, and actually worsen the conditions with environmental awareness.

Thus, it can be concluded, that media is an extremely powerful tool in influencing the general conditions for the implementation of the environmental policies.

### c) Green Business

*“Business is the only mechanism on the planet today powerful enough to produce the changes necessary to reverse global environmental and social degradation”.*  
Paul Hawken.

Business and industry are the key figures in the industrialized countries, being major political actors, which work hard to lobby their interests and influence policy makers. In the countries, where the priority of the development is given to the economic growth, governments and businesses work closely in order to ensure the growth of GDP. In most of the cases such collaboration is done at the expense of the environment and public participation. This model is very old and is mainly characterized by the conflict between the environmental and economic interests, being perceived as mutually exclusive (Desai 2002).

On the other hand, there is a clear evidence that the concept of ‘green business’ is being embraced by more and more business organizations all over the world (Baer *et al* 2006). There are different incentives for that. Some organizations want to be the first on the ‘green list’ in the conditions of high level of public awareness, others are mostly concerned about the compliance with the existing standards and regulations (bottom-up and top-down approaches) (Baer *et al* 2006).

As the detailed research in the green business sector is outside the scope of this study, it would be enough to conclude, that the business (including not only the industry, but also consultancy firms, insurance companies etc) remains to be one of the key actors in shaping the national environmental

policies and can be described as an important part of the process in the capacity-building (Janicke and Weidner 2007).

### 4.3 Strategies

Generally speaking, strategies are filling the gap between policies and tactics, i.e. between ends and means (Nickols 2000). The main strategic document for the NEPs have been widely acknowledged to be the National Environmental Action Plan, developed in more than 90 countries of the world, and the main idea was to integrate environmental concerns in the country's national economic and social development (Lampietti and Subramanian 1995). The main stages of the NEAP development are shown in Fig. 5

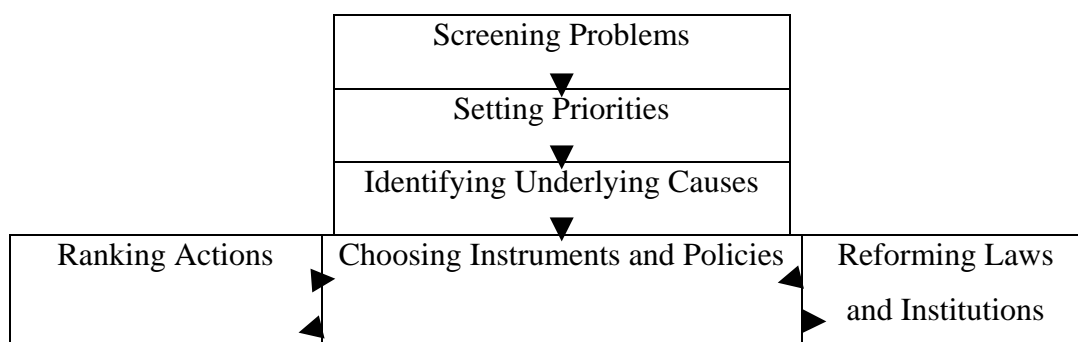


Fig. 5 Key elements for developing NEAPs  
 Source: Lampietti and Subramanian 1995

However, the development of NEAP is naturally a very resource- and time-consuming process, requiring mobilization of extensive human and material resources. Specifics of NEAPs in Armenia will be discussed below in more detail.

### 4.4 Structural Framework Conditions

Kitschelt (1986) defined structural framework conditions as systemic conditions or the opportunity structure of the relevant actors. Janicke and Weidner (1997, 7) prefer a bit different typology:

- a) Cognitive –informational framework conditions:
- b) political-institutional framework conditions
- c) economic –technological framework conditions

a) Environmental knowledge and public awareness are generally a main precondition for influencing national environmental policies. There are many examples proving a pattern where greening the national policies start with the awareness of the population about the environmental problems and its further pressure on the governments to undertake corresponding measures. It is a widely acknowledged fact that the appearance of environmental movements and environmentalism as an ideology in general started with a range of publications, such as *Silent Spring* by Rachel Carson, which directly changed the pesticide policies and resulted the ban of the DDT), *Gaia: A New Look at Life On Earth* by James Lovelock and many others, raised awareness on the environmental issues among the population, giving them a sparkle to act and affect their governments. In the 36 country studies done by Janicke and Weidner (1997) only 5 of them did not have public as an important background factor for the formation of the NEP.

It can be argued that the favorable cultural preconditions for the society to get active in the issues of environmental protection will most probably appear in the conditions of high level of economic development in the country, even if the level of information is high enough. In other words, the theory of post-modernism by Ingleheart (1977) assumes that concern of the public about such issues as environmental protection is possible under the conditions of its liberation from the basic materialistic needs. Despite the undeniable correlation between the success of environmental policies and GDP in the given country (Janicke and Weidner 1997) there are different examples that contradict this theory, such as the Chipko movement in India (tree-huggers) formed under the influence of Mahatma Ghandi and involved mainly poor rural population (Gopa 1982).

This way or that, but it is hard to deny that the availability of the environmental information, openness of the scientific institutions in providing information, awareness of the population about the threats they are facing is the necessary precondition for the development and implementation of the successful environmental policies. Needless to say that it is also one of the main attributes of the democratic society in general, supported by the provisions of numerous international conventions.

b) By political-institutional framework conditions

- constitutional
- institutional
- legal

structures are usually meant (Janicke and Weidner 1997, 7).

- *Constitution* is the supreme law governing a country and the rights of the people (UNDP 2003). Nowadays, many constitutions include the right of the people to the healthy environment. This constitutional provision has a great importance for the nature protection, since it is elevated to the same level as other human interests, consequently relevant restrictions are imposed on the public freedom and private property, as well as limitations on certain activities.

- *Institutional capacity*

Institutional capacity-building is the most traditional understanding of capacity building in general, especially from the point of view of donor organizations, which were engaged in such activities long ago, even when the term itself was not defined. The usual name was (and very often still is) ‘technical cooperation’ or ‘assistance’ to the institutions (ADB 2007).

As it is proposed by Desai (2002) by saying ‘institutions’ affecting environmental policies, three overarching types of formation are usually meant: governmental, international and economic (industry, business)

The institutional arrangements between the national and sub-national governments are key figures in the formation of environmental policies, which have lately been characterized by the transfer of policy power from national governments to the local ones, especially typical for the industrialized countries (Desai 2002). The capacity of the governmental institutions is usually restricted by a number of usual shortcomings, among which are (OECD 1998, 10):

-the institution is young, lacks high-qualified staff, is weak and has limited political influence or financial support;

-there is a so-called 'institutional monopoly', characterized by centralization and weak representations in the regions.

- responsibilities are overlapping with other ministries which results in 'turf battles'

- limited capacity to enforce the environmental laws.

In one word, as it was mentioned by OECD (1998, 10)"...institutional capacity remains one of the most common bottlenecks in the [capacity] development process".

International institutions (practically international organizations and conventions are usually meant) are extremely important for the formation of national environmental policies. Needless to say such organizations as United Nations have been influencing the direction of policy development for almost every country for already more than three decades. International environmental conventions are shaping the environmental policies and priorities of the countries at a growing speed. Apart from that, attention should also be paid to the regional integration organizations, such as European Union. Thus, the country's institutional capacity can also be characterized by the level of its performance in the international arena.

The economic institutions have a huge capacity of influencing environmental policies through powerful lobby activities, and can actually shape the process by which the decisions are made. What is interesting, the business and industry sectors are influencing the policies from the very beginning, prior to any other institutions, starting with the time the problem is defined. They shape defining values and norms that guide the decision-makers (Weaver and Rockmann 1993).

Thus, the three abovementioned factors of institutional capacity have the biggest influence on the national environmental policies.

- *Legal*

Development of environment-related legislation is an important indicator of environmental capacity in a given country. According to UNDP (2003) environment related legislation is any body of law, which addresses conservation, protection or restoration of the environment. In general, the body of environmental legislation protection is huge and includes (but is not limited to) the following areas (UNDP 2003, 176):



- protection of environmental components (e.g. air, water etc).
- protection of ecosystems (e.g. nature conservation legislation)
- sustainable use (e.g. hunting, fishery, forestry, agriculture legislation)
- environmental impact assessment (EIA acts)
- incentive measures (e.g. taxes, subsidies)
- liability for the damage of the environment (e.g. environmental protection acts, criminal acts)
- waste management
- land management
- risk assessment/management (e.g. legislation related to industrial accidents, bio and chemical safety etc).
- ownership of natural resources (e.g. constitution, environmental protection acts).
- environmental education and science

The effectiveness and quality of the law-making is highly dependent on the effectiveness and stability of the political, administrative and social systems of the country.

#### c) economic-technological framework conditions

According to many documents and statistical evidence, per capita GDP index is most closely correlated with the environmental policy of the country and its outcome and the problem of capacity lack for the environmental policy is traditionally ascribed mainly to the developing countries (Janicke and Weidner1997). It is generally true, since developing countries are less successful in the implementation of the environmental policy due to abovementioned and other constrains. Besides, they usually get help from the developed 'donor' countries and also apply their experience of CD. However, despite the obvious advantage of the developed countries in terms of capacity, the restrictions to sustainable environmental policies are present in advanced countries as well, which is proven by many case studies (Desai 2005; Janicke and Weidner1997). For example, according to different researchers (Davies and Mazurek 1998) in the United States there has been a general dissatisfaction with the effectiveness and efficiency of the implementation of environmental policies in the last 30 years. Despite general positive trends in the developed countries, such as reducing the amount of SO<sub>2</sub> emissions or ozone depleting substances, there is deterioration in the urban waste management, growth of traffic and build up areas etc. (Janicke and Weidner 1997). Thus, it can be

concluded, that the concept of environmental capacity is relevant for the developing as well as developed countries and as it was put by Janicke and Weidner (1997, 2) there is no universal “getting rich-getting clean” formula. In one word, as it was defined in the UN Conference on Environment and Development, CD for the environment is the essential element for ensuring the development in environmentally sustainable way for any country (UNCED, 1992).

#### **4.5 Situative Context**

Sabatier and Jenkins-Smith (1993) define the situative context to be the short-term variable conditions, within which the action takes place. In environmental policy, an example of such conditions can be any events that appear on the headlines and thus provoke the public interest and debates. It can really affect the environmental policy and cause quick action towards finding environmental solutions.

Sadly enough but the best contexts providing the impulses for the quick development of the environmental policies are created by the situation when there is a clear visibility of the imminent threat to the population, sometimes causing numerous victims, e.g. environmental catastrophes, such as Chernobyl, Bhopal events etc.

On the other hand, the situative context can have a negative influence on the environmental policies for the given country, e.g. increasing in the market price on the natural resources can cause reconsideration of the current environmental policies, such as hot debates around drilling oil in Arctic National Wildlife Refuge in Alaska in the context of skyrocketing oil prices (McNoldy 2006).

# CHAPTER 5. NATIONAL ENVIRONMENTAL POLICY OVERVIEW IN ARMENIA

## 5.1 National Environmental Action Plans

As it was defined by Jordan and Liefferink (2004) by saying ‘policy’ we actually mean the content of the policy, i.e. paradigm of action, its objectives and the policy instruments.

The first attempt to create a holistic document on environmental policy in Armenia was National Environmental Action Plan (NEAP), which was developed in 1998. It was prepared by MNP with cooperation of Ministry of Health and World Health Organization (WHO), (which were at the same time developing National Environmental Health Action Plan). It has to be added, that the funding for development of the draft and invitation of international experts was provided by World Bank Institutional Development Bank (IDB) as well as governments of Finland, Norway, Sweden, Denmark, the Netherlands and Switzerland.

Before the appearance of NEAP, there was no relevant strategic plan or institutional arrangement for the management of natural resources. During the transition period the preparation of holistic environmental policy was not among the governmental priorities. Only several attempts were made to apply economic instruments to planning in transport, industry, energy as well as introduce special tariffs for nature protection (NEAP 1998). Limited number of policies were developed on water and forest in 1996 with the assistance of Food and Agricultural Organization (FAO) (MNP 1998a). The rationale of the creation of NEAP was quite obvious, since the rapid degradation of natural resources and threats to human health prompted for governmental intervention.

As it was specified in the NEAP itself,

“The primary objective of the Action Plan is to provide an overall strategy for integrated environmental management in Armenia, which optimizes the utilization of the country’s natural resources with respect to environmental sustainability and economic efficiency” (NEAP 1998, 26).

However, as it was acknowledged by the one of leading experts the National Environmental Action Plan was ignored or “forgotten” by the authorities (Ter-Zakarian pers.comm). Besides, there was very little awareness on the existence of such a plan, which was also an obstacle for its implementation.

It has to be mentioned, that initially the NEAP was prepared in English and only later was translated into Armenian and Russian. This is also an indicator of orientation towards the donors and not to the internal use, despite in the goals and objectives of the NEAP, to “improve the capacity of institutions, communities and individuals to manage the environment in a sustainable way” was clearly set (NEAP 1998, 26).

Curiously enough, but despite the lack of attention towards the NEAP by the authorities, according to the evaluating experts, it was found out that it has been implemented by 80% after the revision in 2003 (Ter-Zakarian pers.comm). This paradox can be explained by the fact that the goals and the priorities of the NEAP were very well defined and they coincided with the vision of the authorities, international organizations, NGOs etc. despite the document itself was not used as a reference. The provisions that did not require large financial inflows were implemented best of all.

Due to the need of updating the NEAP-1, the project of “Preparation of the Second National Environmental Project” was launched in 2007. The goal is to create a new NEAP for the period of 2008-2012. The changes that happened during 1998-2006 in the economic, social and environmental sectors will undoubtedly be taken into consideration. As it was pointed by Davtyan (pers.comm) one of the main targets of the NEAP-2 will be to enhance intersectorial integration of the environmental policy with the policies of other sectors.

Interesting enough, but all the members of the expert group developing NEAP-2 are representatives of different environmental NGOs. As it was explained by the team leader, it did not happen intentionally (Ter-Zakarian, pers.comm.) The reason for such coincidence lies in the fact that all the

prominent environmental specialists are members of NGOs, usually being the founders and heads of the organizations<sup>7</sup>.

## 5.2. Policy instruments

In the recent years the environmental policy in Armenia was characterized by strengthening and more active use of **economic instruments**. The RA Law “On Environmental and Nature Use Charges” was adopted. A certain set of economic tools was introduced.

Environmental *fees* are paid for discharge of several kinds of pollutants into the environment (mandatory payments to the state budget), disposal of industrial and municipal waste, for harmful products (MNP 2006)

Environmental *charges* are imposed for water use, use of solid minerals and use of bioresources. The RA Law “On Rates for Compensation of Damage Caused to the Animal and Plant Kingdom Due to Violation of Environmental Legislation” defines the procedure and rates of damage compensation. The rates are mainly based on the status of the species (threatened, endangered, etc) fixed in the Red Book of Armenia (1987).

The growth of the revenue to the state budget from the environmental charges and fees can be explained by the growing economic development of the country in general, which resulted in the mining and construction industries<sup>8</sup>. Increase of the prices on precious and non-ferous metals also brought to the corresponding increase of the charges, which are calculated on the basis of the price (Davtyan pers.comm). Besides, as it was mentioned in the Ministerial Report (2003-2005), another reason is the increased efficiency of environmental inspection. Positive trends have been noted in the reduction of illegal (or rather ‘informal’) mining for natural resources and consequently, increase in the officially reported volumes.

However, the economic instruments are only restricted to the fiscal ones (to fill in the state budget). For example, no market incentives exist and the effective tools to award good performance and penalize violation exist. Consumers and investors are practically not involved in the process, and

<sup>7</sup> For more details of such specifics with Armenian NGOs, please see Chapter 6.2.2

<sup>8</sup> Quite a sad example is the recent development of copper mine in Teghut forests. For details please see Chapter 6.5

representatives of the business sector are skeptical to the green technologies and are not aware of the potential benefits. The need for enlargement of the spectrum of economic instruments is obvious.

What refers to **regulatory instruments**, they have a longer history. Starting with 1998, by the Governmental Decision N1702, all the industrial organizations are obliged to have a so-called ‘ecological passport’, which contains the information about enterprise itself, as well as characteristics of its emissions into the environment and natural resources consumed, though does not have any enforcing power (UNECE 2000).

The main regulatory instruments are *inspection* and *control*. Inspection is implemented by the State Environmental Inspectorate of the MNP, according to the RA Law “On Organizing and Performing On-site Inspections”.

Pollution control is based on the existing standards on the quality of air, water and other environmental media. The sanctions for the non-compliance include *fines*, *compensations* and *penalties*.

*Fines* are imposed for the violation of the existing legislation (the confiscation of the pollution causing object may also take place). *Compensations* are collected for the harm caused to nature (e.g. overconsumption of the resources), whereas *penalties* are only charged after the judicial procedures (UNECE 2000). Unfortunately the payment collection mechanism needs to be updated, since quite often the administrative cost of the collection is higher than the payment itself (UNECE 2000).

Besides, since regulatory tools are focusing mainly on punitive measures, the lack of capacity necessary for their compliance is usually ignored. Quite often the roots of the problem rest with the lack of knowledge of the legislation, environmental issues, professional skills as well as technical capacity within the enterprise. Consequently, solution of the problem should start from ‘another end’.

### 5.3 International integration

RA starts to get more and more involved in the global policy processes. Adoption of Millennium Development Goals and consequently, the Target 7 (Environment) was an important step towards integration into global environmental policies (UNECE 2000).

Besides, Armenia is signatory to 15 international environmental conventions and 3 protocols.

What refers to regional and international integration of the environmental policy, the priority is given to the integration into European processes, which is demonstrated by the participation of Armenia in the majority of the most important environmental events in Europe. Quite an important fact is the participation in 5<sup>th</sup> Ministerial Conference –Environment for Europe<sup>9</sup>, organized in Kiev, Ukraine in 2003. This resulted in adoption of “Environmental Strategy for EECCA<sup>10</sup> countries”. One of the biggest achievements of the recent years was inclusion of Armenia (as well as other South Caucasus countries) into the European Neighborhood Policy (ENP) (Ghazaryan pers.comm). Based on this, the MNP presented EU-Armenia action plan, which is aimed at ensuring environmental cooperation.

In general, the so-called ‘europeanization’ has become a very important phenomenon in environmental policy transfer, as within the EU as well as outside, in the potential candidate countries like Armenia. As Jordan and Liefferink put in their study on Europeanization of National Environmental Policies (2004) the top-down impact of the EU on the environmental policies and administrative structures is difficult to ignore. According to the same study, the EU affects the formation of national policies by prescribing clear models of national actions (in the forms of directives or regulations), alters the existing approaches by offering the actors new points of leverage as well as indirectly, by the publication of strategies and research (Jordan and Liefferink 2004). All the abovementioned processes can be traced in the formation of Armenian environmental policies, since the EU has been selected as a main development and integration benchmark (MNP 2006).

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<sup>9</sup> The 6th Ministerial Conference “Environment for Europe” will be held in October 2007 in Beograd, Serbia.

<sup>10</sup> Abbreviation used for the countries of Eastern Europe, Caucasus and Central Asia

## CHAPTER 6. ANALYTICAL FRAMEWORK APPLICATION TO THE CASE OF ARMENIA

### 6.1 Main Environmental Problems in the RA and their Characteristics

According to the opinion of the majority of the environmental NGOs in Armenia, in the consensus with the government, there are several environmental problems in Armenia which should be set as national priorities. For the current research, the four following problems were selected from the list proposed by the MNP to better illustrate the types of differences and the difficulties. NEP is expected to overcome (Ministerial Report 2006, 70):

- Problem of Lake Sevan
- Degradation of landscapes and biodiversity
- Deforestation
- Improper disposal of hazardous wastes

All these problems differ greatly by their scale, level of public awareness as well as development of national policies, targeting to their achievement. The character of the problems as well as measures taken by the government will be briefly overviewed below. The general environmental situation and the example of the environmental policies will also be brought with the main focus on these problems.

#### *6.1.1 The problem of Lake Sevan*

This problem can be considered unique within Armenian context due to a number of reasons. First of all, it is a comparatively old and well-studied problem which makes the solution process easier. Then, the Lake Sevan has an important meaning within the Armenian culture (due to its beauty, resort value as well as fish stock for the local population). Third, and which is the most important, the problem has a *very* high level of awareness among the population and willingness to support to the authorities for the solution of the problem.



Briefly speaking, the problem consisted of the relentless withdrawal of water from the lake for irrigation and hydropower during a long period of time, especially intensively in the period of 1949-1962 (see figure 5) which resulted in the drop of the water level by around 20m (MNP 2006). From environmental point of view it caused a number of negative consequences, such as increase of the average annual temperature, intensive growth of the seaweed and a general change in the water composition of the lake. Some of the processes are already irreversible, however, in order to stop the negative tendency and start the restoration of the lake, it was proven that the water level has to be increased by at least 6 m (MNP 2006). The economic activities in the lake watershed have also to be reviewed since pollution of the lake by the wastewater is also a serious problem.

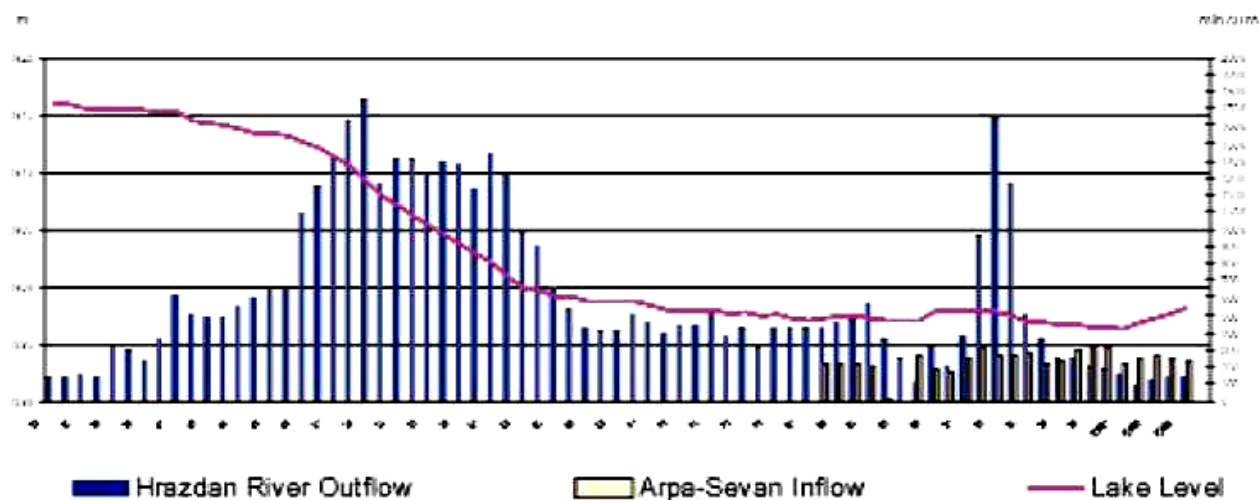


Fig. 6 Dynamics of water withdrawal from Lake Sevan from 1933 till 2005 (with the peaks in the 1950s and 1990s).

Source: MNP 2006.

Naturally, to solve this problem the water level of the lake should be increased, by reducing the withdrawals and increasing the lake water reserves. The government of Armenia launched a project of constructing a tunnel for water transportation to Lake Sevan from the Arpa river (opened in 1981) as well as additional one later, to increase the flow by connecting the river Arpa to river Vorotan (opened in 2001).

Considering the significance of Lake Sevan for the country, the special measures have been undertaken on the legislative level as well. The National Assembly of RA passed the Law of the RA “On the Lake Sevan” in 2001, defining the lake as a resource of strategic importance, with environmental, economic, scientific, esthetic and historical value. Later on, the Law of the RA “On

the annual complex program for restoration, preservation, regeneration and use of Lake Sevan ecosystem” has also been adopted.

It should be added that the problem of Lake Sevan has got an international resonance, which resulted in the initiative and support of the World Bank, which launched the project “Restoring the ecological balance of Lake Sevan”, which includes legislative development, increase of water level, management of municipal and industrial wastes, preservation of biodiversity etc.

In general it can be concluded that the problem of Lake Sevan is dealt with comparatively effectively, from the point of view of policy development as well as other undertaken measures.

### ***6.1.2 Degradation of landscapes and biodiversity***

Armenia has a great diversity of landscapes on a small territory due to mountainous relief and drastic difference in the altitude. Almost all the ecosystems in Armenia have suffered alterations due to agricultural, urban and industrial development, recreational activities etc. The anthropogenic pressure is causing threat to hundreds of flora and fauna species, many of them are on the verge of extinction. People are heavily using the areas in almost all landscape zones for different purposes. Large areas of swamps have been dried for farming use, forests have been logged, developed areas are significantly increasing. Degradation of landscapes and ecosystems and loss of biodiversity is one of the biggest problems in Armenia as well as the whole world nowadays.

Knowledge on Armenian threatened species was fixed in the Red Book of Armenia (published in 1989-1990), including 387 rare and near-extinction flora and 99 fauna species (MNP 2006). In 2004 the “Regulation for managing the Red Book of RA and the membership of the Red Book Committee” was approved by the Ordinance of the MNP. However, due to the lack of finances, the further researches are not conducted, no updating and re-publication of the Red Book is envisaged in the near future.

The programmes for the biodiversity conservation are undertaken by the government, which are characterized by in-situ conservation methods, i.e. creation of the specially protected natural areas (SPNA). As the current legislation states it, the SPNAs are state reserves, wilderness areas, national parks and natural monuments. They are fixed in the Law of the RA “On specially protected natural

areas”. However, as it is acknowledged by the governmental officials themselves (Ghlichyan pers.comm) the law drafted and adopted in 1991 does not correspond to modern international standards and has to be updated. Other relevant documents are “Strategy and Action Plan on Biodiversity in Armenia, which was developed in 1999 but lots of work still needs to be done in order to meet the outlined goals. As it was shown by the study done by UNDP/GEF (2004) the conservation regime is violated in all the SPNAs (by means of logging, hunting, tourism etc). Lack of trained staff, sufficient equipment and sufficient finances in general is the main reason for this situation (UNDP/GEF 2004).

### ***6.1.3 Deforestation***

The protection of forests is key point in the conservation of biodiversity of RA. According to the official sources, the forest cover in the RA is only about 11.2% percent of the territory. However, most of the NGOs (Armenia Tree Project, Armenian Forests, etc)<sup>11</sup> claim the number to be less, as low as 7%. In the last 70 years the forests of RA have twice been subject to overexploitation. For the sake of rapid industrial growth there was severe cutting in 1930-1950s, whereas the second time it happened after 1991, due to energetic crisis and overall collapse of the economy in the country. Unsystematic use and ineffective management of forests have created a highly critical situation with the forest ecosystems. The results of this were soon to appear in the form of lower natural productivity, erosion, increase of the landslides and change of the river regimes and microclimates, which annually case significant damage to houses, municipal structures and agricultural lands. The overall situation of the forest cover in Armenia is visible on fig. 6

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<sup>11</sup> Please visit: URL: <http://www.armeniatree.org>, <http://www.armenianforest.am>

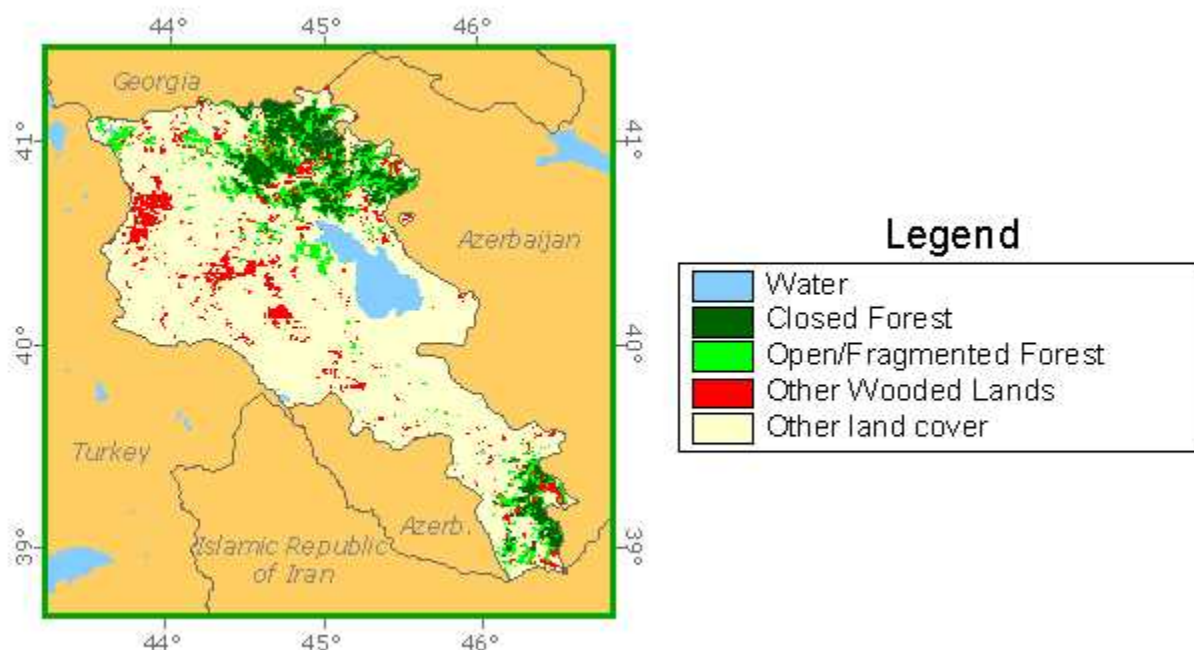


Fig. 7 Current forest cover in the RA.

Source: FAO, URL : <http://www.fao.org/countryprofiles/index.asp?lang=en&iso3=ARM&paia=18>

In order to improve the situation the “Hayantar” (ArmForest) SNCO was established by the Armenian government in 2002 (Matevosyan 2005). However, it brought to the ineffective distribution of responsibilities, where the same authority was in charge for the supervision as well as management of the forest. Consequently, supervision was not fully exercised which brought to continuation of uncontrolled logging. To introduce positive changes and reconstruct the management system the government of the RA decided in 2004 to transfer the protection, preservation and use of the forest to the Ministry of Agriculture, whereas the supervision will be implemented by the Ministry of Nature protection.

In general, in terms of NEP, the forestry sector can be considered the most developed ones, since it's the only sector where the whole policy package was developed, “National forest policy and strategy of the RA”, “National forest program of the RA” and “Action plan for mitigating actions to help address the problems associated with illegal logging” were created in 2005.

However, in practice, the situation with the Armenian forest policy is yet far from being sustainable. Apart from slow legislative development, lack of enforcement mechanisms, reforestation

programmes and low level of environmental awareness among the local population, the forests of RA regularly face imminent large-scale threats. A good example was a luckily unsuccessful attempt to destroy Shikahogh nature reserve, launched by Ministry of Transportation and Ministry of Defense and stopped by joined efforts of local authorities and civil sector<sup>12</sup>.

Another most recent example is the project of enormous copper mine development in the region of Lori, the north of Armenia which has the last large forest concentration (see fig. 8). According to environmentalists, unprecedented amount of forest will be cut down, threatening survival of numerous flora and fauna representatives including endangered species (21 mammal, 11 fish and 9 plant) (Harutunian 2007). However, this case has a number of very aggravating circumstances are present, the worst of which is the full support of local population desperate for job openings as well as Ministry of Nature Protection, assuring that everything was done to minimize the negative impact on nature (Harutunian 2007)<sup>13</sup>.

Interesting enough, but dealing with the problem of deforestation and in an attempt to raise public awareness, some NGOs (most probably intuitively) appeal to the same exaggeration method as was used with the depletion of the Ozone layer. Every now and then prognoses appear, according to which Armenia will become completely deforested in the nearest 25 years if the logging continues at the same speed (Armenia Tree Project 2007). Common sense will tell the audience that the logging speed cannot continue at the same rate, since much of the forests are situated very high in the mountains and industrial logging there either will be impossible or too expensive for wood to cover the logging costs. However, as it was demonstrated by the media fuss around Ozone ‘hole’ and its outcome, reasonable exaggeration can catalyze straightforward action from the public, resulting in the policy changes from the governmental side.

Thus, it can be concluded that the efficiency of National Forest Policy in Armenia is heavily dependent on economic factors. One of the main reasons is that the economic development is highly opposed to the environmental protection in the minds of local population and many governmental

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<sup>12</sup> The case of Shikahogh Natural Reserve is described in more detail from the NGO participation point of view in Chapter 6.2.2

<sup>13</sup> For more details please visit URL:

[http://www.terraily.com/reports/Trump\\_Environment\\_As\\_Armenia\\_Opens\\_Giant\\_Copper\\_Mine\\_999.html](http://www.terraily.com/reports/Trump_Environment_As_Armenia_Opens_Giant_Copper_Mine_999.html)

representatives. In the circumstances of economic constraints the priorities are given to the rapid financial benefits and not to the long-term development. Forests are often viewed as an easy income generation source. However, in terms of mobilizing public for action, less complicating facts and more impressive prognoses can play a very positive role indeed.

#### ***6.1.4 Improper disposal of hazardous wastes (Persistent Organic Pollutants (POPs) as a focus)***

Nowadays, there is a growing attention in Armenia towards waste management. However, the main treatment methods are still waste incineration that represents significant sources of POPs. In the regions of Armenia, the waste management Action Plans are almost exclusively concentrated on incineration (Manvelyan 2006). There are almost 1000 landfills in the country, which does not correspond to modern managerial standards, burning being the only existing treatment (Manvelyan 2006). Pesticides and industry are also a great contributor of POPs. Apart from that, lack of awareness among the population, combined with the high level of poverty (especially in the rural areas) makes people use different types of solid waste including plastics, for the heating in winter. All this results in the emission of POPs and other toxic substances, which can cause serious harm to human health and the environment. It has been proved that POPs can travel long distances and have the ability to accumulate in environmental media as well as in animal and human bodies (breast milk) (MNP 2005b).

Raising public awareness on this issue as well as strengthening collaboration among general public, NGOs, authorities, researchers and other sectors to develop effective policies on the elimination of POPs sources (working towards introduction of alternatives to incineration) is of primary importance for dealing with the problem on a national level.

Armenian government ratified Stockholm Convention “On Persistent Organic Pollutants” in 2003 and consequently, took all the commitments.

To ensure the implementation of the Convention, the National Implementation Plan (NIP) was developed. (MNP 2005b). Interesting enough, but the problems and the activities to overcome them, outlined in NIP almost totally coincide with the structure of Analytical Framework used in this thesis. The concept of capacity building was used only in specific cases (MNP 2005b, 86, 87) and not as a holistic approach, which would probably ensure more comprehensive and effective

implementation. This gives additional motivation to the author to work on the given topic and support the promotion of the CD in Armenia.

## **6.2 Actors**

### ***6.2.1 Governmental Institutions***

The main national body for the implementation of environmental policy is Ministry of Nature Protection (MNP) (for its structure see Appendix 2). On the regional level, the regional environmental ministries exist which refer to MNP. Apart from that, Ministry of Health and Ministry of Agriculture have relevant environmental responsibilities, such as natural resources management, waste control etc. MNP has the right to enforce the existing environmental legislation as well as monitor other relevant ministries (Ministry of Finance and Economy, Ministry of Justice), to ensure the compliance of their activities with environmental legislation and further enforcement.

The environmental policies are drafted by the relevant structural units –departments and sections of the ministry. The supervising responsibilities are delegated to the inspectorates of the ministry. The ministry also has state non-commercial organizations (SNCO) within its structure, which provide different services, e.g. Waste Research Center, which ensures the compliance with Armenia's commitments to the international environmental agreements (MNP 2006, 9).

The collaboration of the MNP with the other ministries and agencies is insufficient; it happens only when combined effort is necessary for the solution of an environmental problem. There is no integrated environmental policy (UNECE 2000, 6). Still, intersectorial integration is one of the main goals of the further ministerial development (Davtyan pers.comm).

In general, the environmental administration of RA is characterized by quite a strong vertical managerial model, without enough responsibility distribution to the local municipalities. To overcome this problem is also another target of the MNP.

### 6.2.2 *Non-governmental proponents*

#### a) Green interest organization

In general, the NGO sector in Armenia is relatively young. After the collapse of the communist regime Armenian NGO development can be divided into 3 periods (Blue and Ghazaryan 2004, 17).

-1990-1994

-1995-2000

- after 2000

In the beginning of the 90s most of the NGOs were so-called 'sovietized' ones that were established by the government in the soviet times and served for the promotion of governmental interests. After the change of the system, some of those NGOs managed to adapt to the new environment and survive.

Many of environmental NGOs appeared in the second period. However, most of the sector was comprised of NGOs concerned with social support to the population suffered in the Nagorno-Karabakh war and 1988 earthquake. Many of those NGOs disappeared after the social stress eased. The NGOs appearing in the third period showed a higher level of organization. Their goals and strategies are more distinct, as well as the level of employee professionalism. This is also the result of democracy development of the country in general (Blue and Ghazaryan 2004).

The appearance of the last group of NGOs is mainly the result of the increased international donor activity. The main development of NGO sector covered the province of Armenia, thus reducing the NGO concentration in the capital and bringing more attention to the development of the remote regions (*marzes*). This also reflects the strategy of the donors, targeted at the decentralization and equal development of the regions of the country, which is also remains the main goal nowadays (Ghazaryan pers.comm).

What refers to environmental NGOs, there are 107 registered organizations that mentioned environmental protection among their activities in Armenia (REC 2004, 6). According to the same



source, the NGOs give priority to the environmental education, environmental protection and environmental impact assessment (EIA).

The dynamics of the environmental NGOs appearance can be seen on the fig. 7

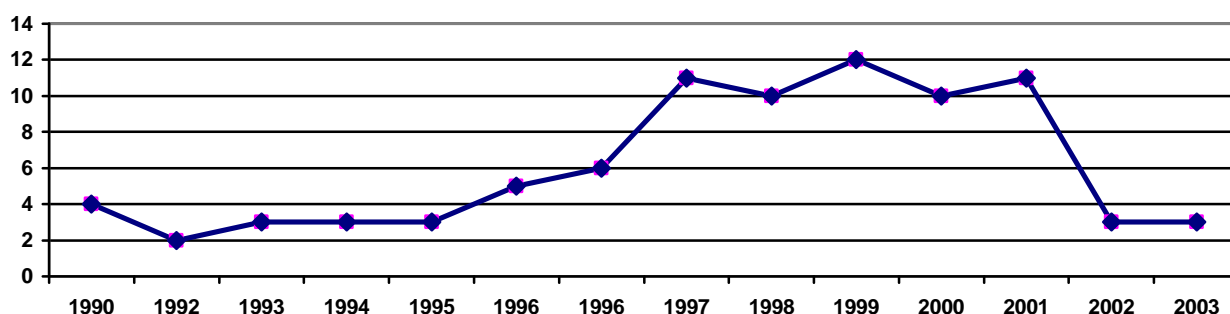


Fig. 8 Dynamics of environmental NGO establishment in Armenia.

Source: Adopted from: REC 2004

As it can be seen from the graph, the appearance of the environmental NGOs has the same dynamics as the NGO sector in general.

Despite the number of NGOs is quite high, the impact on the development of the environmental policies is less than it would be expected. It is stated by the representatives of the NGOs (Iskoyan pers.comm., Lalayan pers. comm) there are several reasons, some of which will be discussed below.

One of the main reasons of the insufficient effect of the NGO sector on the state policies is the passiveness of the NGOs themselves. As it was put by one of the experts (Ter-Zakarian pers.comm), quite a big number of Armenian NGOs are more interested in creating positive image in the eyes of their international donors, to whom they are reporting, rather than the population of Armenia. Obviously, they have more expectations from the financial support of international donors, and the support of the local population is of secondary importance from this point of view. This consequently brings to another big problem: the local population has a low awareness level about the activities of their NGOs (Ayvazyan pers.comm). The majority of the population does not understand the role and importance of the NGOs, since the latter still have not found their place in the mindset of the people, thinking that it is an artificially sector, created to promote foreign and not

the local interests (Ayvazyan pers.comm). However, it can also be assumed, that NGOs themselves are not the only exclusive reason in this problem. The level of public participation in general is still quite low in the Armenian society, which is defined by the current civil culture development. It is natural, that the NGOs cannot be active on their own, since they are one form of public participation.

The relationship of the NGO sector with the authorities also needs development and improvement. As it was pointed out by Ter-Zakarian (pers.comm.) the NGOs are reluctant to closely cooperate with the authorities due to a number of reasons. First of all, the NGOs do not have a sufficient trust to the authorities; their belief is that regardless of their participation the government will pursue its own goals by its own methods. Hence, some NGOs are not participating in the discussions or round tables even when they are officially invited by the authorities. Besides, as was already mentioned, the NGOs, due to financial constraints, are more inclined to seek for foreign donors and work according to their interests by implementing small-scale projects, rather than participate in the national policy development (Ter-Zakarian, pers.comm).

So, as it can be assumed, the problems with the perception of the NGO sector by the public and authorities have much in common, formed by the behavior of the NGOs themselves as well as the character of civil culture in the country.

As it was pointed out by Iskoyan (2005) there are several constraints on the way of effective NGO participation in the development of environmental policies. First, very often the governmental officials do not feel the necessity of consulting with independent experts. Second, NGOs are usually not involved in the initial stage of the policy drafting. Hence, their comments and suggestions are not able to have substantial impact on the decision-making process. Besides, some of the NGOs expect financial remuneration for their assistance, which government is not always ready to provide.

Another interesting aspect is the level of democracy within the NGOs themselves. The typical situation for Armenia nowadays is the existence of NGOs (including environmental) with strong and powerful leaders, who did not change since the establishment of the organizations. Very few NGOs have experienced a change of their leaders, especially by undergoing the procedure of elections by the members or appointment by any independent council. Very often the NGOs are perceived as a

‘one-person’ organization, due to which it is recognized by the public as well as other NGOs. As it was put by Ghazaryan (pers.comm) a lot of ‘pocket NGOs’ exist, meaning that such leaders are creating organizations mainly to pursue their personal ambitions and goals. There are many cases when NGOs disappeared or ‘froze’ their functioning due to migration or death of their leaders. Thus, according to current situation, the personality of the leader of the NGO is more important than the activities of the NGO itself Ghazaryan (pers.comm).

However, it would be wrong to completely deny the positive role of the NGOs for the protection of the environment and absence on the NEP whatsoever. The best example and the best success story is the protection of Shikahogh reserve in the south of Armenia.

To put it shortly, in 2005 the Ministry of Transport and Telecommunication of RA ordered to implement the construction of a freeway ensuring better connection of Armenia with the Islamic Republic of Iran, which would bisect the gorge of Shikahogh Nature Reserve. Interesting enough, but the EIA process was completely bypassed and a number of national laws and international commitments were violated, such as UN Convention on Biodiversity, UN Convention to Combat Desertification, European Convention on Landscape as well as other agreements. It has to be mentioned, that the reserve contains untouched nature due to difficulties in its accessibility, and has over a thousand of different plant species as well as such rare species of fauna, as Persian leopard (Krikorian 2005). According to recent WWF estimations, between 5 and 10 leopards occur in the reserve (WWF 2007). It was also estimated that 14 000 mature and 90 000 young trees would be destroyed by the road, which would also open the easy access to poachers and illegal loggers (Krikorian 2005).

This unprecedented violation of environmental legislation in turn provoked an unprecedented cooperation and activeness of environmental organizations. A coalition “SOS Shikahogh” was established, including more than 40 local and international NGOs, who worked together to develop alternative routes which would cause less damage to the nature (Environmental News Service 2005). The process was extensively covered by the media on national and international level. As a result, despite the fierce resistance from the side of Ministry of Transportation and Communication, supported by the Ministry of Defense, the battle was won by the environmentalists and the new

route was selected. According to local and international experts, the success of the campaign can be explained by the following factors (Ettling 2005). First of all, as it was already mentioned, an unprecedented collaboration and unanimity was observed among the NGOs as well as with the local government of the endangered region. Second, the government could not justify the necessity of selecting this very route, which let everybody assume that mere private interests were at stake. Third, the events, the events got an extensive international resonance and coverage in the media.

Therefore, the fight for Shikahogh Reserve and the successful outcome demonstrated that NGO sector has a great potential in influencing the national environmental policies even at the last stage of the development. However, it remains an exception rather than a rule. As mentioned above, the character of the problem played a crucial role in its solution. The threat was imminent and urgent, clearly visible and simple to understand for the population, as well as qualifying to be 'hot news' to provoke interest of the mass media and hit the headlines.

#### b) Media

It's a well-known fact that media plays a very important role in the awareness raising in the environmental matters with the population. The population well informed about the environmental problems in their country is more likely to demonstrate concern and influence their government to act.

According to the research, conducted by UNDP/GEF (2004a) the environmental media sector in Armenia is still quite underdeveloped, despite RA is a part of UN conventions, requiring certain commitments on public awareness and public participation in environmental decision-making. Those are Framework Convention on Climate Change (Article 6), Convention on Biodiversity (Article 13), Convention to Combat Desertification (Article 19) and of course Aarhus Convention. (UNECE 1998). However, as it was shown by the survey, conducted by UNDP/GEF (2004a), the relevant media representatives (journalists, mainly engaged in covering environmental issues) are not well aware about the existence of Conventions and their importance themselves. The reason for this is the lack of education and professionalism.

Lack of accessibility to the environmental information from the authorities was mentioned by the journalists as a major constraint for the coverage of environmental issues, especially on the local

level. This is the result of the transparency lack from the authorities and still a way to go towards the full adoption of democratic values. Interesting enough, but among the other constraints in covering the environmental issues mentioned by the journalists was lack of public interest, which keeps them off more active engagement in the environmental issues (UNDP/GEF 2004a).

Obviously, a positive feed-back loop exists: the lack of environmental education and awareness causes lack of interest towards environmental issues which in its turn causes insufficient coverage in the media. A good step towards breaking this loop has been done by international organizations, who organize trainings for journalists, to raise their awareness in the environmental issues and promote their interests in covering the hot-spots. Several trainings have been organized by Regional Environmental Center for Caucasus (REC Caucasus), Technical Assistance to Commonwealth of Independent States (TACIS) in the frames of Aarhus Convention support, Embassy of German Federation etc (Jenderejian pers.comm.). Such trainings are usually organized on regional level (involving journalists from Armenia, Azerbaijan and Georgia) which has also has positive results in terms of development of regional cooperation and integration for the solution of international environmental problems. Besides, as a rule all the international organizations dealing with the environmental issues have their own list of active journalists whom they invite to public hearings, round tables and other similar events. Special trainings to raise environmental awareness of the journalist are also organized (Jenderejian pers.comm.).

It has to be emphasized, that non-professionalism and lack of specific knowledge of the journalists, covering environmental issues is one of the biggest complains of governmental representatives and experts. Quite often, the issues appearing in the media are not precise enough and are distorted by the professional constraints of understanding and interpretation of the author (Ecolur 2006).

Selection of the media itself also plays quite an important role. In the case of Armenia it is obvious that television is the most effective one for spreading information in urban as well as rural areas, having the biggest capacity for conducting an environmental campaign. However, as it was shown by several researches (UNDP/GEF 2004a etc.), TV is not paying enough attention to the environmental issues and no serious campaign has been conducted so far. It has to be said that the most active channels to cover environmental issues are governmental ones; however, they are rarely involved in the criticism of the governmental policies. The oppositional and independent media has

moved to the internet space, restriction the information to the regular internet users (as of March 2007, comprising 161, 000 of Armenian population, majority of which are concentrated in the capital (Internet World Stats 2007). Thus lack freedom of the media itself represents a constraint for the development of eco-journalism and awareness raise.

*c) Green business sector*

The sector of green business in Armenia is minuscule and is still on the fetal stages of its development. First attempts have been made by promoting organic agriculture, which is estimated to have high potential by the international organizations (Tukhikyan 2006).

There are several constraints and challenges, both from the sides of businessmen as well as local population. As it is pointed by one of the leading NGOs dealing with the development of organic agriculture, the major challenges of the development of organic agriculture are (Tukhikyan 2006):

- skepticism of the farmers and distrust towards organic technologies, since quite often they do not see its immediate benefits of switching into organic practices
- high cost of transportation
- no guaranteed market, no established balance between the amount of production and demand yet

Besides, the organizations involved in the development of organic agriculture expect support from the government to introduce supporting policies to the farmers who switch to the organic agriculture (Tukhikyan 2006).

What refers to other sides of business it can be added that certain attempts have been made to introduce the concept of ‘green hotels’ by Tuffenkian Heritage Hotels<sup>14</sup> chain, using separate sewage treatment facilities and PVs. However, this example is exceptional, is on the pilot stage and is not typical for the overall picture (Jenderejian pers.comm.). No licensing or other forms of regulation of any kind of green business exist.

Unfortunately, no incentives exist in the market to promote the shift of the business sector to the cleaner technologies. The predominating discourse within the business sector is that environmental

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<sup>14</sup> Please visit URL: <http://www.tufenkianheritage.com>

protection and economic development are mutually exclusive and countries like Armenia are ‘too poor to afford caring for the environment’. Besides, environmental protection is viewed at the same level as charity donations, i.e. without any opportunities to generate profits in return. According to Ter-Zakarian (pers.comm) one of the main reasons is that the representatives of business sector are often simply unaware about the existing green business opportunities. This is also the shortcoming of the governmental policies, which concentrate only on the fiscal environmental charges, while ignoring many effective economic instruments.

In general, it can be concluded that the business sector is still playing quite negative, rather than positive role for the environmental protection. Especially it refers to logging and mining, due to a huge demand on the market as well as high rates of unemployment which leaves the environmental concerns without proper attention. Interesting enough, but this pattern is typical both for the capital as well as the regions of Armenia (Hovhannisyan pers.comm).

### **6.3 Strategies**

In the environmental strategies in Armenia have taken over the ‘steering philosophy’, meaning that they are elaborated with the participation of a wide range of actors from governmental and non governmental sectors. The NEAP-2 is supposed to be the main strategic document for the nature protection in Armenia.

The recent tendency is also to engage the local governments into the developing of local strategic documents for nature protection. The first Local Environmental Action Plan (LEAP) was developed in Ararat, one of the most industrial and polluted cities of the country (Lalayan pers.comm). One of the main approaches which is tried to be implemented on a local level, is to give incentives for the local population to take active part in the environmental decision making. This approach faces certain difficulties due to the absence of strong participation culture within the society (Hovhannisyan pers.comm).

## 6.4 Structural framework conditions

### a) Cognitive –informational framework conditions:

According to the Constitution of the RA (Article 24) everyone is entitled to freedom of speech, including freedom of getting and spreading information. Besides, the Law of the RA on “On Freedom of Information” (in the Article 4) highlights main provisions on information freedom security, among which are: insurance of freedom to search and find information, insurance of access to information and publicity.

Information provisions within the Ministry of Nature Protection also fix a number of commitments. According to them, Press Secretary of the Minister is committed to (UNDP 2004):

- providing information to the media about all activities in the Ministry.
- submitting the concerns of the media representatives to the relevant units.
- provide the information to the media about urgent issues at the earliest possible date.

Besides, the MNP established the “Information-Analytical Center”<sup>15</sup> state non-commercial organization (SNCO), the main purpose of which is to collect, classify, store, analyze and disseminate environmental information. The Center develops and publishes National Reports (so far, State of Environment in Armenia 2002 and State of Environment in Armenia 2003-2005 were published). The documents are also available on the web-page of the Ministry<sup>16</sup>.

Public access to the environmental information is also provided through a newspaper “Nature” published by the Ministry, different kind of reports and bulletins, National Statistic Service (NSS), as well as international organizations dealing with environmental protection issues. The access to environmentally related information is guaranteed by the Principles of Legislation on Nature Protection (1991) as well as by the provisions of Aarhus Convention, to which RA is signatory.

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<sup>15</sup> More information about the functions of Information Analytical Center of the RA MNP can be obtained at URL: <http://www.armaarhus.am>

<sup>16</sup> Please visit URL: <http://www.mnp.am>



Besides, with the help of OSCE, the Public Environmental Information Center (so-called Aarhus Center) was created under the Ministry of Nature Protection. The Center provides environmental information free of charge to all the interested, as well as organizes public hearings and round tables on a regular basis (Ayvazyan pers.comm).

It should also be added, that Public Relations unit was re-established in 2005 under the MNP. The unit was closed in 2003 which had quite negative consequences on the easy access to the information (UNDP 2004). The effective provision of the information was hindered, since the Press Secretary alone was not able to ensure the steady flow due to his business and not having enough time for the meetings with journalists. After the recommendation of the UNDP (2004, 12) the department was re-established.

Situation with the obtaining first-hand information on environmental situation in the country is still quite unfavorable. Despite there is big experience in applied research (e.g. National Academy of Science) it has been suffering a lot of constrains and in some institutions even stopped due to economic crisis and consequently insufficient funding from the government. Many institutions lack up-dated literature, access to internet, ability to conduct research and further publishing. Naturally, this has a negative impact on the policy development, since ministries rely on such institutions for data collection and analysis. However, foreign sources are sponsoring selected researches.

Up-to-date technologies are introduced rather slowly. The only center having the Geographic Information Systems (GIS) is ECRC AUA. One of the main obstacles to the development of the contemporary information technologies is the limited access to the computers and Internet by the population (especially in the rural areas).

Environmental education was acknowledged to be one of the best tools to raise the level of awareness among the population. In 2001 a Law of RA “On Environmental Education” was passed, according to which all public universities and schools are obliged to have a course on ecology. Besides, Armenia participated in the “Education for Sustainable Development” initiative of UN in drafting Sustainable Education Strategy.

However, despite the existing strong legislative basis, the civil culture of transparency is not yet fully established. One of the strong illustrations is the issue of Dalma orchards in Yerevan, Armenia. The attempt of the authorities to allow the construction of the important nature, historical site and an important source of income for the local families, resulting also in the further shrinking of the green belt of the city, got active public protests. No public participation in the decision-making process was ensured. Numerous of environmental NGOs accused the government of violating Aarhus convention provisions and appealed to Aarhus Convention Compliance Committee to register the fact of non-compliance. The Compliance Committee registered violations of the Article 4 (Access to Environmental Information), Article 6 (Public Participation in Decisions on Specific Activities), Article 7 (Public Participation Concerning Plans, Programmes and Policies Relating to the Environment) and Article 9 (Access to Justice) (*See Aarhus Convention*) (Transparency International 2006).

Thus, the lack of awareness on environmental issues by the public as well as by the authorities themselves was mentioned among the main obstacles on the implementation of Aarhus Convention (Iskoyan pers.comm). According to Iskoyan (2005, 191) the main obstacles to insure the access to justice (Article 9 of Aarhus Convention) are the lack of awareness of the provisions of the environmental legislation, on different existing options for legal assistance that population can get as well as bodies where the complaints can be directed (e.g. Ombudsmen). Besides, insufficient awareness of the judges on existing environmental legal acts and international conventions is also a barrier for the implementation of the Article 9 of Aarhus Convention (Iskoyan pers.comm).

#### b) political-institutional framework conditions

- Constitutional

As in many other countries of the world, the Constitution of Armenia reflects certain rights regarding environmental protection. The articles referring to the environmental issues are the following:

Article 8 - "The owner of property may dispose of, use and manage the property at his or her discretion. The right to property may not be exercised so as to cause damage to the environment or infringe on the rights and lawful interests of other persons, society or the state."

Article 10 – “The state shall ensure the protection and reproduction of the environment and the rational utilization of natural resources.”

Article 34 – “Everyone is entitled to the preservation of health”.

A very important fact is that in 2005 a constitutional referendum was held, and the Constitution was amended, which resulted in the introduction of a number of important changes. An interesting innovation referring to the environment is reflected in Article 33.2.

According to it, “Everyone shall have the right to live in an environment favorable to his/her health and well-being and shall be obliged to protect and improve it in person or jointly with others. The public officials shall be held responsible for hiding information on environmental issues and denying access to it” (Article 33.2) (*See The Constitution of RA*).

Inclusion of the special article on the liability of the governmental officials to provide environmental information is an important step forward on the way to build transparent democratic society, supported also by the Aarhus Convention (UNECE 1998).

- Institutional

As was already mentioned before, the chief actor in Armenian environmental policy-making is the Ministry of Nature Protection with its structural units (sections and departments) and inspectorates (having supervision responsibilities). The situation with the abovementioned 3 levels of institutional formation proposed by Desai (2002) is the following:

On the level of governmental institutions, the intersectoral linkages between the Ministry of Nature Protection and other ministries are still quite weak (Davtyan pres.comm). Apart from that, the structure of the MNP has proved to be quite unstable itself, undergoing lots of changes and restructurizations, appearance, disappearance and reappearance of new departments. The cooperation between the central and regional governments has also proved to be quite weak, with clear symptoms of ‘institutional monopoly’ as defined by OECD (1998). Besides, on the regional level there are no environmental departments in the regional state administration offices.

The lack of high –qualified specialists is mentioned as one of the biggest constraints for the institutional development both by the experts (Ter-Zakarian pers. comm) and the official documentation (UNDP/GEF 2004).

With the institutional performance on the international arena, the situation is quite positive. Armenia is placing great importance on the harmonization of its policies with the existing international standards. The environmental policies are mainly shaped by such global processes as the Concept of Sustainable Development, MDGs, PRSP, Environment for Europe of which Armenia is part of. To incorporate the concept of sustainable development the Government of Armenia founded the National Council on Sustainable Development, which includes representatives of different sectors (business, academic, NGOs) and is headed by the Prime Minister.

As was already said, Armenia is party to 15 international environmental conventions and 3 protocols for the implementation of which the Government approved the “List of measures for implementing Armenia’s commitments under a number of international environmental conventions” and “List of measures for implementing cross-cutting issues for the three global environmental conventions”.

In one word, as it was summarized by Davtyan (pers.comm) the institutional capacity includes everything from the skills of the Head of the Department to the pen she writes with.

- legal

Environmental legislation in Armenia started to develop since 1990. Up till 2006, 24 laws and 700 by-laws were adopted, regulating different aspects of human interaction with the environment (UN 2006). As it is unanimously agreed by many experts (Ghlichyan, Ter-Zakaryan, Iskoyan pers.comm) the legal base is the most developed sphere in Armenian environmental policy. This particular success of Armenia in the legal basis was also acknowledged by the international experts (OECD 2005). One of the reasons for this is that jurisdiction does not require as much financial inflows as the other spheres, relating to the nature protection. It can be said, that the legislation in the nature protection of Armenia defines and actually *is* the Natural Environmental Policy. After putting quite a solid legislative base, it can be said that this sector has shifted to next stage of development, mainly oriented at the refinement of the existing acts.

As it was confirmed by one of the leading experts on environmental legislation (Iskoyan pers. comm.), the environmental legislation is developing quite actively, especially during the last 5-7 years. The procedure of law-making itself is quite well developed, including the draft assessment mechanism (by the internal (governmental) and external (non-governmental) parts. However, the abovementioned lack of trust of the NGOs to the authorities is still a problem. Usually the representatives of the NGOs consider the round tables and consultations to be meaningless, since their comments are disregarded anyway. Besides, quite often the time limits put on the whole process of law-making are too narrow to allow the non-governmental stakeholders to analyze the draft and come up with coherent comments (OECD 2005).

A limited review on the legislative reforms in the environmental sphere is provided below.

During the recent years, a number of environmental codes, laws and bylaws were reviewed. The reason for the up-date of the existing environmental legislation was prompted by the development of economic situation in the country as well as the necessity to harmonize it with the EU legislation due to existing integration policy. Here it has to be added that the ‘europeanization’ has become one of the main shaping mechanisms for the national environmental policies in the EU and potential EU candidate countries as was already mentioned above. National Action Plan for the approximation and harmonization of environmental legislation was drafted and will be submitted to the government for approval (MNP 2006).

Among the most notable changes was the revision of the Water Code, Land Code and Forest Code as well as adoption of a number of laws, such as “On Fundamental Provisions of the National Water Policy”, “On Waste”, “On Environmental Control” and others (for the list of all the environmental laws with the dates of their acceptance, please see Annex 3).

In order to increase financial inflows into the budget, the RA Law “On Environmental and Nature Use Charges” was adopted and introduced.

The main instruments ensuring enforcement are *control* and *inspection* instruments. The main environmental enforcement body is the State Environmental Inspectorate of the Ministry of Nature Protection (SEI). It enjoys quite a high hierarchical position within the ministerial structure (see Annex 2) which enables it to make independent operational decision. It checks and ensures the compliance with the regulations related to different kinds of environmental impacts. Interesting

enough, that nowadays the head of the SEI has the substantial increase in his/her authority, for example to make a decision on shutting down the polluting facilities (which before could only be done by the Minister of Nature Protection). The inspectorates can visit an enterprise according to the existing procedure and impose sanctions in case of violation of the existing laws.

However, it has to be said that the overall situation with the environmental law enforcement is still quite unsatisfactory.

It happens quite often that the State Environment Inspectorate and Regional Inspectorates are lacking the links and informational flows between the relevant departments of the MNP and are quite isolated in their activities (Darbinyan and Ashikyan 2002). Besides, the weakness of the enforcement institute is undoubtedly correlated with the limits of financial inputs and human capacities. Obsolete technical equipment, lack of professional knowledge and holistic vision on the national policy and its tools, lack of on-job training and training centers etc. are mentioned in almost every document on NEP in RA (for example, National Forest Policy of RA (MNP 2005, 62), National Implementation Plan on Stockholm Convention (MNP 2005b, 65), and many others). The absence of proper monitoring equipment results in the fact that in many cases inspections are only limited to the review of existing documentation. Apart from that, comparatively low salaries of the inspectorate employees make the jobs unattractive for the high-qualified specialists. (OECD 2005).

However, there is a positive trend in the increase of legal cases against the violation of the legislation on access to the environmental information and public participation (Iskoyan 2005). The NGOs are more and more eager to start cases on the violation of Aarhus convention (Transparency international 2006).

### *c) economic –technological framework conditions*

In general, the economic conditions in Armenia is one of the most, if not the most, decisive factors for the formation and implementation of environmental policies. Unemployment, low wages and general instability of the country's economy resulted in a situation, where people have uncertainty in their future, have distrust towards the government and avoid long-term investments rather preferring quick visible benefits.

However, the recent economic trends can be characterized as generally positive ones (see fig 8).

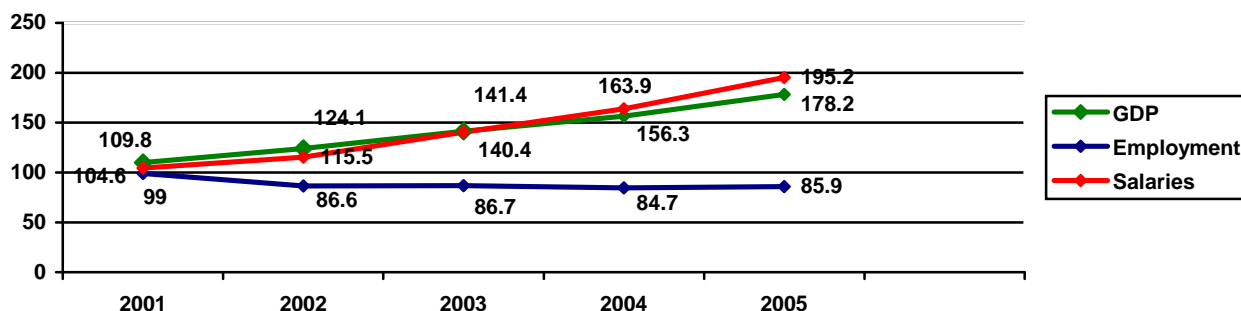


Fig. 9 GDP, Salary and Employment growth in % (2000 is taken as 100%)  
Source: Adopted from: NSS 2006

The growth of the GDP has also reflected on the annual volumes of the budgetary allocations on the environmental sector. Despite the sums allocated are obviously insufficient to the implementation of successful and sound nature protection policies, the growing tendency is a good sign (see fig10). According to Davtyan (pers.comm.) the budget allocated for the 2007 is also expected to be higher than the previous year.

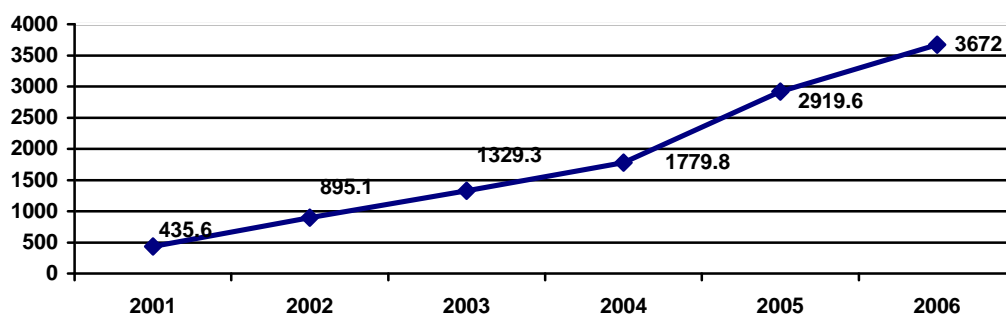


Fig. 10 Budgetary allocation to the nature protection sector (including credit sources, mln. AMD17)  
Source: MNP 2006

However, despite the general growth in the amount of finances going directly to environmental protection, the poverty of the country population (especially in the rural areas) is one of the main

<sup>17</sup> EUR 1 = AMD 463 (as of 25.07.07).

handicaps on the way of sustainable nature use and nature protection and there is still quite a long way to go to achieve economic and social security of the citizens. It is a well-known truth that the growth of GDP is not an ultimate index for the well-being of the people. According to the NSS, the abovementioned economic growth almost did not affect the rural regions, the capital Yerevan being the one which benefited most (NSS 2006). This is not surprising, since the same trend was observed in other EECCA countries – the economy is growing but the benefits are concentrated within the capital with dramatic disproportion (Alam 2005).

According to National Statistic Service, 28% of the rural population in Armenia was categorized as poor in 2005 (NSS 2006). It can be assumed, that underdeveloped infrastructure (roads, communication facilities, irrigation system etc) is one of the main reasons for the slow progress.

While trying to define the factors defining the poverty profile of the country, *inter alia* the following correlations became visible (NSS 2006):

- poverty is more severe in the highlands. Above the 1700m above the sea level the conditions for the agriculture not favorable and the poverty incidents are higher.
- poverty occurs in the dry areas of the insufficient irrigation opportunities

In general, it can be said that rural poverty is one of the main constraints on the way to the implementation of coherent environmental policies. The poor rely heavily on the natural resources, mainly provided by forest, thus getting involved in a vicious circle, typical for many regions of the world: driven by poverty the people are forced to deplete natural resources which in turn only deepens their poverty and insecurity. However, on the other hand, coherent environmental policies would definitely help to reduce the rural poverty. The interdependence of rural poverty and environmental well-being was also outlined in the Poverty Reduction Strategy Papers (PRSP) in a separate chapter (PRSP 2003). Thus, it can be concluded that NEP can solve both problems at the same time (if their separate solution is possible to begin with).

Lacking the economic-technological capacity for the solution of environmental problems, Armenia tries to develop strong cooperation with World Bank, UNDP, UNEP, UNIDO, GEF, OSCE, SIDA, ADB and other international donor organizations, in order to draw their attention to the environmental problems in the country and seek for financial assistance for their solution. As was mentioned before, the non-governmental environmental sector is almost totally dependent on the



foreign financial support. As a rule, international donors are mainly interested in supporting the projects referring climate change, biodiversity preservation, harmonization of legislation with the international standards etc (MNP 2006).

## **6.5 Situative context**

Situative contexts influencing the formation and implementation of the NEP in Armenia are quite different. However, there are several significant ones that affected the policies more than others.

It can be said that in the beginning of the 90s, the main factor was economic and energetic crisis, which affected, for example the governmental policies on forestry. Under the challenge of subsistence, the local population was allowed to cut trees for the heating, especially in the 1991-1994) (Chorbajian 2005). Under these circumstances the nature protection was not paid attention to.

In the recent years, characterized by active economic growth and development of industry, the situative context existing in the country can be described by the active development of natural resources, obvious priority of the economic benefits over the environmental well-being (unfortunately existing even on the governmental levels) and the propensity of the businessmen to prioritize short-term benefits over long-term vision, almost always at the expense of environmental protection.

So, if in the previous years it was common to hear that environmental well-being is sacrificed for the sake of survival of people, now it is quite common to hear that the environmental well-being is sacrificed for the sake of economic development. For example, the head of Armenian Copper Program, notorious for developing open copper mines in very environmentally sensitive area, said in his interview:

“We understand that an unprecedented number of trees will be cut down [...] But this is necessary and people have to understand that there is no economic development, no such economic programme, that would not have a negative influence on the environment.” (Harutunyan 2007).

Unfortunately such attitude is quite typical, even at the governmental level. In one of the press-conferences, the Minister of Nature Protection of RA, who supports the development of the mines,

clearly stated his position, claiming that 100,000 cubic meters of wood are logged in Armenia a year legally, plus 600-700,000 illegally, and the ministry sees no problem and difficulty in connection with the tree cutting in Teghut, especially that the reforestation activities were promised to be implemented sector-by-sector (Grigoryan 2007).

It has to be added that here the context is mainly characterized by the situation with the copper prices on the international copper markets. The world prices on copper are steadily growing and the demand far increases the supply (according to London Metal Exchange the price reached USD 7,9 per tonne (LME 2007)). Naturally the copper business promises super-profits to its developers. Based on this, ban on copper development, put in 1970s to preserve the environment in the region, was lifted (Grigoryan 2007).

Therefore, it can be concluded that the environmental policies are heavily influenced by the economic situation and are not consistent with their principles within the possibility of big financial inflows. However, for the sake of the truth, it has to be mentioned that this problem is one of the biggest problems for environmental protection on a global scale as well. The question of environmental protection, involving endangered species vs. social welfare improvement, especially in the poverty-stricken regions has become a difficult question, even on philosophic level (Erwin 2004).

On a smaller scale, the situative context created by the outcry of the media is also applicable to the case of Armenia. The media and NGO sector have proven their capacity to create publicity even at the international level and affect the governmental decisions. However, the success is still more exceptional rather than regular and predictable. The same is true for the behaviour of the NGOs, who are not ready to unite and act for the common interest anytime whenever there is a need.

## CHAPTER 7. CONCLUSIONS AND RECOMMENDATIONS

### 7.1 Conclusions

In the course of this research it was attempted to give a general holistic picture of the situation with the capacity building, necessary for the successful implementation for the National Environmental Policies in Armenia. A special Analytical Framework was applied, to pay attention to all the main defining factors, influencing each other and creating a country-unique capacity climate.

The concept of capacity is quite new within Armenian context. Due to relative vagueness of its meaning and definition there are still certain difficulties with its full understanding and introduction into all sectors of environmental protection. Up to now, capacity-building as an independent development target was used by international donor organizations, providing assistance on the territory of Armenia. Despite the existing critique, this concept proved to be successful and gains growing popularity in the international arena, which partly was the rationale for its selection as a focus of this research.

After thorough analysis of the existing primary and secondary data, in the end of the research the following conclusions were made.

NEP in Armenia is not represented as a single document. Up till now the function of the national policy was actually resting with the environmental legislation. The main policy document, NEAP-1, developed in 1998, was ‘forgotten’ by the governmental structures and was generally perceived as another internationally imposed document, which introduced foreign experience irrelevant for Armenian context. However, the conclusion of the current research proposes another approach to the problem: the failure of the implementation of the document can be explained not by the defects of the document itself, but rather by the lack of capacity for its implementation. This assumption is partially proved by the fact that with the general development of the country (i.e. growing capacity)

the NEAP-1 turned out to be implemented by up to 80%, since the problems and the methods of their solution were put correctly.

After the application of the Analytical Framework and the study of the necessary preconditions comprising the capacity for the successful environmental policy and management, the following picture became clear.

As it is demonstrated in the Framework, the economic constraints are at the basis of policies implementation in Armenia. They are very powerful factors in defining the success or failure of the National Environmental Policies.

The environmental problems existing on the territory of Armenia differ greatly by their characteristics. Such problem as the decrease of Lake Sevan water level enjoys great attention from the government and high level of public awareness. Other problems such as biodiversity loss and deforestation are less studied, they are more difficult to monitor and the level of public awareness is incomparably lower. Such problem as improper waste disposal is extremely grave since the burning is the only applied method in many settlements, and much economic inflows are necessary to create alternatives. The governmental policies also differ respectively.

The capacity of governmental actors to develop and implement environmental policies to tackle these problems differs greatly between the central and local governments. The interaction is characterized by quite a strong vertical management model and absence of specialized environmental protection departments on the regional level. Intersectorial collaboration with other ministries referring to environmental protection (Ministry of Agriculture, Ministry of Health, Ministry of Urban Development) is weak.

The capacity of governmental actors is negatively affected by the economic-technological conditions in the country. The lack of 'hard' and especially 'soft' capacities is a hindering factor for the policy implementation, e.g. the State Environment Inspectorate is not able to exercise law enforcement at its full power. Especially difficult is the situation with SPNA management, biodiversity conservation and control of illegal logging. In other words, the capacity as the ability to produce successful results still needs to be developed much in the governmental sector. However,

there is an undeniable positive trend visible by the increase of collected environmental charges and payments as well as increase of annual budgetary allocations on the environmental sector.

Participative capacity of the civil society still proves to be quite weak. However, participation right of the civil society in the environmental decision making process is now firmly fixed in the existing legislation. The main problem is the lack of participatory culture within the society, pro-active civil organizations as well as trust between the governmental and non-governmental sectors. Dependence of the non-governmental sector on the international financial support often results in the promotion of foreign interests, while lack of attention is being paid to the local vision to the solution of environmental problems. This is also one of the main reasons why NGOs do not have enough motivation to unite and create coalitions to make their voice heard. However, the role of environmental NGOs is undoubtedly increasing, which reflects in their growing participation in the decision-making process, cooperation with the media, and growing capacity for mobilization and action.

Participation capacity is also dependent on the level of awareness of the environmental problems existing in the country. The role played by the media is insufficient to draw public's attention to the issues. Character of the problem is the main defining factor, since quite often media just responds to already existing public interest, rather than drawing attention to the not so popular issues. Lack of professionalism within the media is another reason why environmental problems are not covered properly. The right of the public to know the environmental situation nowadays is secured by the Consitution, Aarhus Convention and the relevant laws. The growing number of legal cases in court on the Convention violation witness that the legal provisions start to be exercised.

The legal basis in general is well developed and can be considered the strongest factor in the framework, which is also developing dynamically. Legal acts are regularly up-dated according with the changes happening on economic, institutional and other sectors. The main development course is the harmonization of the legislation according to the European model. Up till now the NEP was almost totally represented by the legislation of the country. However, the lack of high qualified lawyers specialized in the environmental law is hindering the development. Another problem is the weak law enforcement, which is the result of insufficient economic-technological conditions.

Recent economic development in the country has both its positive and negative sides. On one hand, growing economy provides more jobs and increases salaries of the people, releasing them from poverty burden. On another hand, the growth is distributed unequally and the rural poverty is still a serious problem, directly connected to environmental degradation. Besides, the economic growth is given priority by the government and environmental protection is among the secondary concerns. Perspective of jobs makes the local population to support environmentally unsound projects and makes people unwilling to speak up in the fear to lose their jobs. On the other hand, the lack of stability in the economy of the country makes the businessmen look for quick profits and short-term projects, which play the most destructive role for the environmental protection.

International cooperation is implemented quite successfully. Armenia is a part of the most important global environmental processes, is ratifying international environmental conventions, is a part of bilateral and multilateral intergovernmental environmental partnerships, the main policy documents are developed with the participation of international experts. On the other hand, the foreign experience is often taken as a model and the local experts are discouraged from the development of something more suitable for Armenian context. However, international cooperation brings financial support, which is crucial for the environmental protection in the countries like Armenia.

Thus, as was visible in the Framework, all the factors defining the NEP's success are extremely interconnected and building capacity of one factor isolated without improving the situation in other levels is impossible. Establishing firm institutional capacity is impossible without doing so at the individual level, creating active and participative civil society is impossible without providing relevant cognitive-informational framework conditions and vice versa. Numerous examples let it to be concluded that the holistic integrative capacity building approach is the most successful one.

Thus, successful implementation of National Environmental Policies is impossible without building the necessary capacity, formed by numerous interconnected factors.

## 7.2 Recommendations

As a result of the current research and the identified shortcomings, the following recommendations are proposed for the different sectors that can be taken into consideration in order to increase the capacity for the implementation of the NEP. They are presented in the Table 5.

Table 5 Proposed recommendations to increase capacity for the National Environmental Policy

<b>Factors</b>	<b>Sub-factors</b>	<b>Recommendations</b>
<b>Actors</b>	Governmental	1. Improve cooperation between national and sub-national governments  2. Establish departments with nature protection functions on regional level with clear distribution of responsibilities
	Non-governmental a. NGO	1. work towards increasing trust among non-governmental, governmental and public sectors  2. decrease dependence of NGOs on foreign support
	b. media	1. create specialized courses and trainings for ecojournalists  2. establish regular TV program covering environmental issues in Armenia (more active involvement of other media is also reasonable).
	c. business sector	1. create more incentives for business sector to turn 'green' (introduce wider range of economic instruments).  2. increase amount of environmental charges and payments
<b>Strategies</b>	-----	1. Set realistic goals and develop long term strategies for less 'popular' environmental problems
<b>Structural framework conditions</b>	Cognitive-informational	1. raise public awareness on existing environmental legislation, ratified conventions and environmental rights of citizens  2. raise public awareness on existing less obvious environmental problems

	Political-institutional  a. institutional  b. legal	<p>1. Ensure better intra- and intersectorial cooperation</p> <p>1. Update the legislative base in accordance to the needs and situation within the country</p> <p>2. prepare high qualified specialists, specialized in environmental law</p>
	Economic-technological	<p>1. implement active pro-poor policies, especially in the rural areas to provide alternative income and fuel sources</p> <p>2. ensure successful law enforcement by providing sufficient support to SEI, rangers institute etc.</p> <p>3. increase salaries to the specialists working in the law enforcement sector</p>
<b>Situative context</b>	-----	<p>1. Implement measures on reducing pressure on the environment in the context of rapid economic development</p> <p>2. NGOs and media should act as ‘watchdogs’ to attract attention to the problems on local and international scale</p>
<b>Character of the problem</b>	-----	<p>1. conduct more research on such problems as biodiversity loss, climate change, deforestation etc.</p> <p>2. raise public awareness on less obvious and more complicated problems</p>



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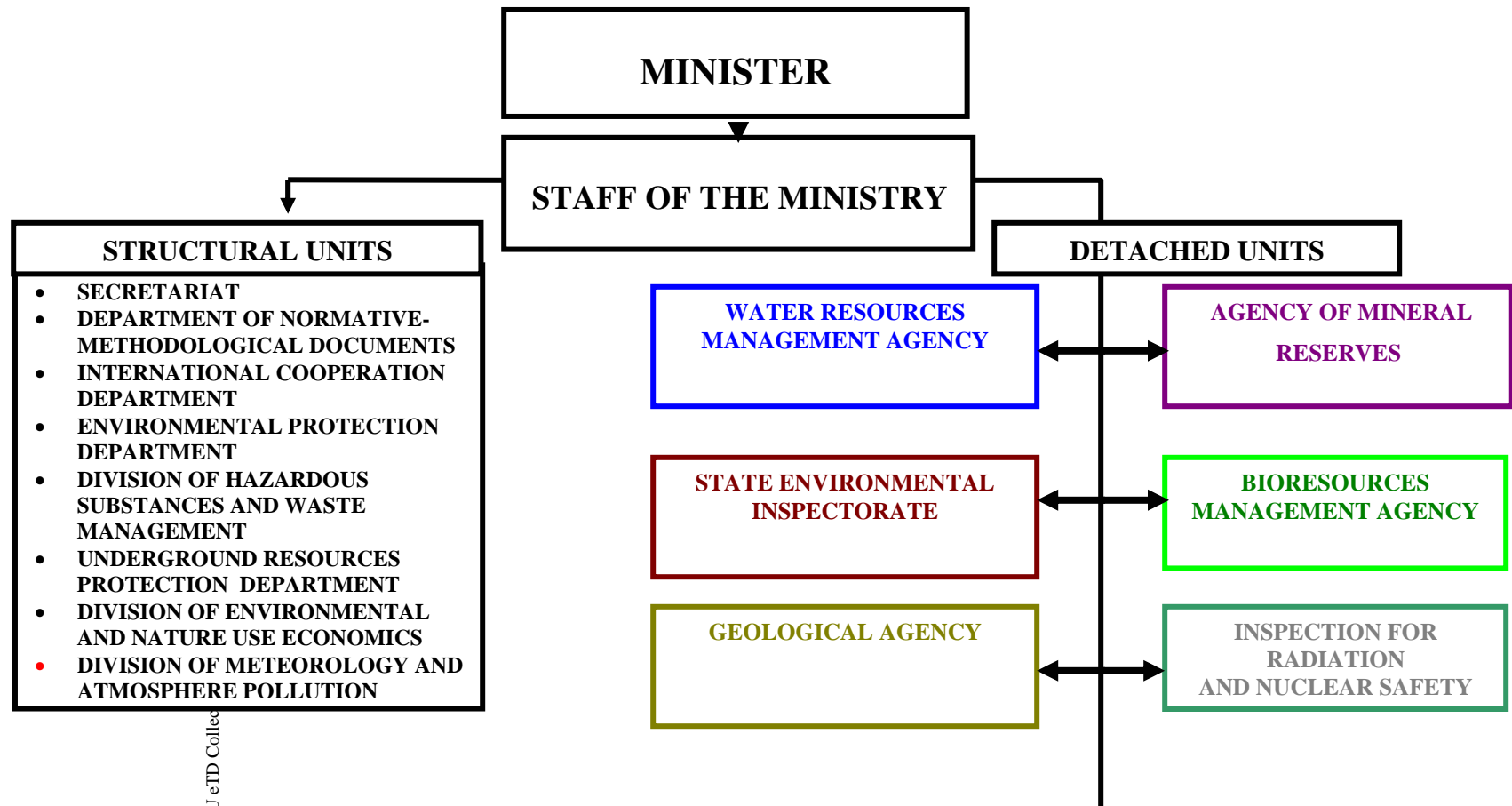
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## ANNEX 1. List of Interviewees

Interviewees	Organization	Title	Type Data Requested
Ms. Ruzanna Davtyan	Ministry of Nature Protection of RA, International Cooperation Department	Director	Development of international cooperation, structure of the ministry in general, capacity- building, vision for the future
Ms. Julietta Ghlichyan	Ministry of Nature Protection of RA, Normative-Methodological Department	Head of the Department	Development of environmental legislation, achievements so far, vision for the future
Mr. Armen Ter-Zakaryan	Preparation of the Second NEAP Project	Team Leader	Information about NEAP-1, its failures and successes, development of NEAP-2, opinion about situative context
Ms. Aida Iskoyan	Environmental Public Advocacy Center (EPAC) NGO	President, National Focal Point of the Department of International Cooperation	Opinion about environmental legislation, role of NGOs in decision-making, general situation with the environmental protection
Mr. Hovhannes Ghazaryan	Regional Environmental Center for the Caucasus Armenian Branch Office	Coordinator	Opinion about the role of international organizations in nature protection of RA, role of NGOs
Ms. Anna Jenderejian	Regional Environmental Center for the Caucasus Armenian Branch Office	Information Officer, Media Project Coordinator	Situation with media, outcomes of trainings for eco-journalists, role of international organization in capacity-building
Ms. Haykuhi Hovhannisyan	Municipality of Ararat	LEAP expert	Opinion about the role of the local governments, role of international organizations in regional development
Ms. Silva Ayvazyan	Public Environmental Information Center (Aarhus Center)	Head Expert	Opinion about public awareness on environmental issues, main problems
Ms. Svetlana Lalayan	Greens of Ararat NGO	Expert	Opinion about roles of regional NGOs in the environmental decision-making

## ANNEX 2. Structure of the Ministry of Nature Protection of RA



Source: Adopted from MNP official site. URL: <http://www.mnp.am>

### ANNEX 3. Environmental Legislation of Armenia

	Environmental Law	Date of Adoption
1.	"Basics of the environmental legislation of the Republic of Armenia"	29.07.1991
2.	The law of the RA "On specially protected natural areas"	18.12.1991
3.	The Land Code of the RA	(the first Code was adopted in 1992) 02.05.2001
4.	The Water Code of the RA	(the first Code was adopted in 23.03.1992) 04.06.2002
5.	The Underground Resources Code of the RA	(the first Code was adopted in 19.03.1992) 06.11.2002
6.	The Forest Code of the RA	(the first Code was adopted in 01.11.1994) 24.10.2005
7.	The law of the RA "On atmospheric air protection"	01.11.1994
8.	The law of the RA "On environmental impact assessment"	12.12.1995
9.	The law of the RA "On environmental and nature use charges"	30.12.1998
10.	The law of the RA "On tariffs of environmental charges"	29.04.2000
11.	The law of the RA "On targeted use of environmental charges paid by enterprises"	11.06.2001
12.	The law of the RA "On flora"	22.12.1999
13.	The law of the RA "On fauna"	03.05.2000
14.	The law of the RA "On hydro-meteorological activities"	09.03.2001
15.	The law of the RA "on Lake Sevan"	14.06.2001
16.	The law of the RA "On the annual programme for restoration, preservation, reproduction and use of Lake Sevan ecosystem"	27.12.2001
17.	The law of the RA "On the complex programme for restoration, preservation, reproduction and use of Lake Sevan ecosystem"	27.12.2001
18.	The law of the RA "On environmental education and fostering of the public"	17.12.2001
19.	The law of the RA "On seismic protection"	06.07.2002
20.	The law of the RA "On concession of subsoil for surveying and mining in order to exploit useful underground resources"	05.11.2002
21.	The law of the RA "On changes and amendments to the Administrative Violations Code of the RA"	11.12.2002

22.	The law of the RA "On wastes"	24.11.2004
23.	The law of the RA "On environmental supervision"	11.04.2005
24.	The law of the RA "On tariffs for compensation of damages caused to fauna and flora as a result of environmental violations"	03.05.2005
25.	The law of the RA "On basic principles of the national water policy"	03.05.2005