

“Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia” (ENPI-FLEG)

Activity: Assessment of two forest sanctuaries in the structure of “Hayantar” SNCO in terms of management and law enforcement efficiency, proposals on improvement of management and law enforcement, increase of efficiency through implementation of proposals

Phase: 2

Duration: November, 2010- February, 2011

Final Report

February, 2011

Implementing organization: WWF Armenia

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CONTENTS

<u>PROGRAM BACKGROUND INFORMATION</u>	3
<u>ACTIVITIES IMPLEMENTED WITHIN THE FIRST PHASE OF THE ASSIGNMENT</u>	3
<u>ACTIVITIES ENVISAGED FOR THE SECOND PHASE OF THE ASSIGNMENT</u>	3
<u>MATERIALS PRESENTED IN THE FINAL REPORT</u>	3
<u>THE DECREE OF THE REPUBLIC OF ARMENIA ON THE APPROVAL OF CHARTER FOR “GYULAGARAK PINE” STATE SANCTUARY, DRAFT</u>	4
CHARTER OF “GYULAGARAK PINE” STATE SANCTUARY, DRAFT	5
JUSTIFICATION OF THE DRAFT GOVERNMENT DECREE ON APPROVAL OF THE CHARTER OF “GYULAGARAK PINE” STATE SANCTUARY	9
INFORMATION ON “GYULAGARAK PINE” STATE SANCTUARY	9
STATEMENT ON MAKING AMENDMENTS IN EXPENSES OR INCOMES OF RA STATE BUDGET IN CONNECTION WITH THE APPROVAL OF THE LEGAL ACT	10
STATEMENT ON THE NECESSITY TO MAKE CHANGES AND AMENDMENTS IN LEGAL ACTS	10
REFERENCE ON PUBLIC DISCUSSIONS FOR DRAFTING THE LEGAL ACT	10
REFERENCE ON CONCLUSIONS FROM IMPACT ASSESSMENT	10
SUMMARY	10
LIST OF STAKEHOLDER ENTITIES, WITH WHOM THE DRAFT GOVERNMENT DECREE ON THE APPROVAL OF THE CHARTER OF “GYULAGARAK PINE” STATE SANCTUARY SHOULD BE AGREED	10
LIST OF LEGAL ACTS USED FOR DRAFTING RA GOVERNMENT DECREE ON THE APPROVAL OF THE CHARTER OF “GYULAGARAK PINE” STATE SANCTUARY.	10
<u>DECREE OF THE REPUBLIC OF ARMENIA ON LIQUIDATION OF “ARJATKHLINI” HAZEL-NUT STATE SANCTUARY AND RESTRUCTURING OF IJEVAN STATE SANCTUARY, DRAFT</u>	11
JUSTIFICATION OF THE DRAFT DECREE ON LIQUIDATION OF “ARJATKHLINI” HAZEL-NUT STATE SANCTUARY AND RESTRUCTURING OF “IJEVAN” STATE SANCTUARY	12
INFORMATION ON “ARJATKHLINI” HAZEL-NUT STATE SANCTUARY	12
INFORMATION ON “IJEVAN” STATE SANCTUARY	12
STATEMENT ON MAKING AMENDMENTS IN EXPENSES OR INCOMES OF RA STATE BUDGET IN CONNECTION WITH THE APPROVAL OF THE LEGAL ACT	13
STATEMENT ON THE NECESSITY TO MAKE CHANGES AND AMENDMENTS IN LEGAL ACTS	13
REFERENCE ON PUBLIC DISCUSSIONS FOR DRAFTING THE LEGAL ACT	13
REFERENCE ON CONCLUSIONS FROM IMPACT ASSESSMENT	13
SUMMARY	13
LIST OF STAKEHOLDER ENTITIES, WITH WHOM THE DRAFT GOVERNMENT DECREE ON THE LIQUIDATION OF “ARJATKHLINI” HAZEL-NUT STATE SANCTUARY SHOULD BE AGREED	13
LIST OF LEGAL ACTS USED FOR DRAFTING THE DRAFT GOVERNMENT DECREE ON THE LIQUIDATION OF “ARJATKHLINI” HAZEL-NUT STATE SANCTUARY	14
<u>CHARTER OF “IJEVAN” STATE SANCTUARY, DRAFT</u>	15

PROGRAM BACKGROUND INFORMATION

The Program “Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia” (ENPI-FLEG) is being implemented in Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia and Ukraine, with the duration of February 2008- June 2012.

The program is focusing on the active involvement of state, civil and private sectors, preparation of national action plans, capacity building and trainings, awareness rising, support to regional and sub-regional cooperation and implementation of FLEG urgent activities.

Analysis of illegal forestry activities, their prevention, monitoring and other related issues are implemented within the program. Implementation of the Program is led by the World Bank (WB) working in partnership with the International Union for Conservation of Nature and Natural Resources (IUCN) and the World Wide Fund for Nature (WWF).

Activity plan and timetable are developed by the abovementioned organizations for the activities to be carried out in Armenia, including assessment of forest Sanctuary management and law enforcement effectiveness (AFSMLEE). The first stage of AFSMLEE was implemented by WWF Armenia during March –May 2010. Management effectiveness and law enforcement issues in forest Sanctuaries in the structure of “Hayantar” SNCO was assessed.

ACTIVITIES IMPLEMENTED WITHIN THE FIRST PHASE OF THE ASSIGNMENT

The following activities were implemented within the first phase of AFSMLEE:

- Selection of two pilot Sanctuaries in the structure of “Hayantar” SNCO of the MoA RA for the assessment of their management effectiveness.
- Assessment of management needs through Management Effectiveness Tracking Tool (METT) and interviews.
- Proposals on enhancing management system and law enforcement of selected pilot State Sanctuaries aimed at capacity building, as well as planning and implementation of activities towards enhanced management systems in forest sanctuaries.

The urgency of forest sanctuary management problems, unclear boundaries, non-regulated forest use, development potential, level of threat to biological diversity and its value were applied as selection criteria for AFSMLEE.

The proposals presented by “Hayantar” SNCO of MoA, as well as cartographic materials of the Sanctuaries and results of the analysis of management plans of Forest Enterprises were also considered for the selection of pilot areas.

“Ijevan” (including “Arjatkhlenti” Hazel-nut) and “Gyulagarak Pine” State Sanctuaries of “Hayantar” SNCO of MoA were selected as pilot assessment areas.

ACTIVITIES ENVISAGED FOR THE SECOND PHASE OF THE ASSIGNMENT

The following activities are envisaged for the second phase of AFSMLEE for the pilot areas selected within the first stage:

1. Preparation of draft charters for the sanctuaries and proposals on revision of boundaries.
2. Preparation of draft Government Decree on the approval of Sanctuary Charters.
3. Preparation of a conceptual management plan for “Gyulagarak Pine” State Sanctuary.

MATERIALS PRESENTED IN THE FINAL REPORT

The following materials are presented in this final report:

- Draft Charter of “Gyulagarak Pine” State Sanctuary and draft Government Decree.
- Draft Government Decree on the revision of State Sanctuary boundaries (liquidation of “Arjatkhlenti” State Sanctuary and merging with “Ijevan” State Sanctuary).
- Draft Charter of “Ijevan” State Sanctuary and draft Government Decree.

DRAFT

**DECREE OF THE REPUBLIC OF ARMENIA GOVERNMENT ON APPROVAL OF THE CHARTER FOR
“GYULAGARAK PINE” STATE SANCTUARY**

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Pursuant to the Article 12 of the RA Forest Code, as well as the Article 18 of the RA Law on Specially Protected Nature Areas, the Government of the Republic of Armenia decides to:

1. Approve the Charter of “Gyulagarak Pine” State Sanctuary according to the Annex № 1.
2. Vest the chairman of the State Committee of the Real Estate Cadastre adjunct to the RA Government with the authority of state registry of rights over 2576 ha forest area of “Gyulagarak Pine” State Sanctuary and other estate allocated to “Hayantar” State Non Commercial Organisation for free of charge (permanent) use.
3. To the Minister of Agriculture of the RA - to approve the management plan of “Gyulagarak Pine” State Sanctuary by the end of 2011.
4. To the Minister of Finance of the RA - to include the discussion of the maintenance costs of “Gyulagarak Pine” State Sanctuary for the year 2012 in the budgeting process of 2011 pursuant to the application by the Minister of Agriculture.
5. Make respective amendments in the land balance of Lori Marz of RA in compliance with the Legislation of the Republic of Armenia.
6. This Decree shall enter into force on the tenth day of its publication.

Charter of “Gyulagarak Pine” State Sanctuary

I. General Provisions

1. “Gyulagarak Pine” State Sanctuary (hereinafter Sanctuary) was established following the Decree of the Council of Ministers of ArmSSR N 341, dated 13.09.1958.
2. The founder of the Sanctuary is the Government of the Republic of Armenia.
3. The Sanctuary is located on the Northern slopes of Bazum Mountain Range, Lori Marz of the RA, at elevations ranging from 1400 to 1900 m. The area of the Sanctuary is 2576ha.
4. The Sanctuary does not have a status of legal person and its activities are regulated by the RA Forest Code, the Law of the RA on Specially Protected Nature Areas, other legal acts, as well as by the current Charter.
5. The main conservation objects of the Sanctuary are valuable forest flora and fauna of relict Pine (*Pinus kochiana*) forests.
6. The name of the Sanctuary is.

in Armenian (full)	“Gyulagarak sochut” State Sanctuary
in Armenian (abridged)	“Gyulagarak” State Sanctuary
in Russian (full)	Государственный заказник “Гюлагаракская сосна”
in Russian (abridged)	Заказник Гюлагарак
in English (full)	“Gyulagarak Pine” State Sanctuary
in English (abridged)	Gyulagarak Sanctuary

II. Purpose, Status and Significance of the Sanctuary

1. The purpose of the Sanctuary is provision of conservation, protection, rehabilitation, reproduction and sustainable use of landscape and biological diversity of relict pine forests located on the slopes of Bazum Mountain Range in Northern Armenia.
2. The Sanctuary has a status of State Sanctuary according to the Law of the RA on Specially Protected Nature Areas (2006).
3. The Sanctuary meets the requirements of the IUCN IV category.

III. Administrative-Territorial Organisation of the Sanctuary

The office of the Sanctuary is located in Stepanavan city of Lori Marz (office of Stepanavan Forest Enterprise branch).

1. The area of the Sanctuary comprises Forest Blocks № 27-33, 1-8 and 14-18 of Stepanavan Forest Enterprise.
2. The Sanctuary is bordering with forest areas of Stepanavan Forest Enterprise branch in the West and East, “Stepanavan” Arboretum in the North-East, Pushkino, Gargar, Gulagarak and Hobardzi community and privately owned lands in the North.

IV. Management of the Sanctuary

1. The Sanctuary is subordinated to Stepanavan Forest Enterprise branch of “Hayantar” SNCO of RA MoA.
2. The monitoring of the Sanctuary management shall be implemented by the head of Stepanavan Forest Enterprise branch.
3. The operation of the Sanctuary shall be managed by the head of the Sanctuary, who is responsible for following the instructions of the head of the Enterprise.

4. The head of the Sanctuary shall be responsible for the estate of the Sanctuary, implementation of objectives and functions, activities initiated and quality of services in compliance with the legislation and authorities vested by the current Charter.
5. The head of the Sanctuary shall ensure enforcement of laws, other legal acts, decrees of authorised state bodies, current Charter and agreements signed.
6. The rights and responsibilities of Sanctuary staff shall be determined by the RA Legislation, work contracts and other legal acts.
7. The budget of the Sanctuary shall be generated from the allocations of RA State Budget, fees, provision of services, sponsors, grants and other incomes allowed by RA Legislation.
8. 10-year planning of Sanctuary activities and measures shall be determined in the Sanctuary management plan.
9. The management plan of the Sanctuary shall be prepared following the requirements set forth in RA Forest Code, RA Law on Specially Protected Nature Areas and related legal acts.
10. The management plan of the Sanctuary shall be approved by the authorised body.
11. The management of the Sanctuary can also be implemented through accredited management.

V. Objectives of the Sanctuary

The objectives of the Sanctuary shall include provision of the following activities:

1. Conservation of species and their habitats through active management of the area;
2. Sustainable use of natural resources;
3. Sanctuary management regime, efficient conservation and monitoring of the area;
4. Implementation of measures envisaged in the Sanctuary management plan;
5. Natural development of special protection objects, landscape and biological diversity of the Sanctuary;
6. Prevention and alleviation of negative impacts on ecosystems and their components;
7. Implementation of measures aimed at the increase of the level of ecological education and awareness among local population;
8. Organisation and management of visits, scientific-cognitive and eco tourism;
9. Organisation of scientific researches;
10. Organisation of forest rehabilitation, forest protection and fire prevention measures;
11. Prevention of natural hazards and alleviation of their consequences.

VI. Protection of the Sanctuary

1. The protection of the Sanctuary shall be implemented by the protection staff of Stepanavan Forest Enterprise branch of “Hayantar” SNCO of RA MoA.
2. The buffer zone of the Sanctuary shall comprise the area starting from Gargar River (right stream of Dzoraget) to the lower boundaries of the Sanctuary (within the administrative boundaries of Pushkino, Gargar, Gulagarak and Hobardzi communities), from watershed zone of Bazum Mountain Range to the upper boundaries of the Sanctuary, as well as forest lands of Stepanavan Forest Enterprise branch adjacent to the Sanctuary.
3. The land use within the buffer zone of the Sanctuary shall be regulated in compliance with the RA Legislation.
4. The nature use initiatives and projects within the Sanctuary buffer zone shall be agreed with the leadership of the Sanctuary.
5. The protection staff of the Sanctuary shall provide information to stakeholders (local self-governing bodies, local population, private owners, public and educational institutions, visitors, etc.) regarding the limitations of nature use, protection regime, permitted and prohibited activities, as well as services offered in compliance with the legislation of the Republic of Armenia.
6. The Sanctuary protection measures shall be determined in the management plan of the Sanctuary.

VII. Limitations of Nature Use within the Sanctuary area

The limitations of nature use within the Sanctuary area shall be aimed at prevention of:

1. Any activity violating the safety of natural complexes and natural development of environment;
2. Any activity violating hydrological regime of the area, unless it is aimed at provision of drinking water to settlements;
3. Violation of flora and fauna habitats;
4. Any activity violating the invariability of historical and cultural monuments within the Sanctuary area as well as historical environment;
5. Measures aimed at introduction of new plant and animal species, genetically modified organisms and their acclimatization;
6. Use of chemicals with the purpose of plant protection, as well as use of mineral fertilizers, that can cause degradation of natural forest ecosystem (with the exception of cases of massive prevalence of pests and diseases);
7. Use of technologies causing ecologically detrimental pollutions and sewages;
8. Production, use and storage of radioactive materials, wastes and other toxic substances dangerous for human health and environment, as well as pollution via household and industrial waste;
9. Geological surveys, mining activities, instalment of mineral processing objects causing damage to land cover;
10. Forest cuttings (aside from those envisaged by the Sanctuary management plan);
11. Exploitation and parking of motor and crawler transport outside the roads of public use and water lines and in areas not designed for these purposes;
12. Construction and exploitation of economic and residential facilities, roads, pipelines, electric lines and other communication lines, except from objects required for Sanctuary functioning (office, visitor centre, guard post, etc.);
13. All types of area exploitation deteriorating landscape wholeness and aesthetical values, hampering organisation of eco education, cognitive tourism and recreation;
14. Other activities not envisaged by the Sanctuary management plan.

VIII. Types of Nature Use within Sanctuary Area

The following activities shall be permitted within the territory of the Sanctuary:

1. Economic activities that do not threaten the sustainability of ecosystems, conservation of flora and fauna representatives, as well as objects of scientific and historical-cultural significance;
2. Reproduction of rare and valuable plant and animal species typical for the ecosystem;
3. Activities preventing violation of the balance of ecosystems, as well as activities, aimed at the rehabilitation of disturbed ecosystems;
4. Organisation of cognitive tourism, ecotourism, recreation and related services in accordance with the envisaged order;
5. Biological pest control over plant and animal species;
6. Organisation of educational and field practice of educational institutions;
7. Scientific researches;
8. Allocation of lands for lease in accordance with the law with the purpose of organisation of recreation and tourism;
9. Implementation of fire control and forest protection measures;
10. Collection of wild berries, mushrooms and medicinal plants in a quantity that does not damage the reproduction of species;
11. Other activities envisaged by the Sanctuary management plan.

IX. State Control

1. The function of state control over forest use and forest management of the Sanctuary area shall be implemented by the state authorised body in accordance with the RA Forest Code.
2. The function of state control of the conservation of environment and nature use shall be implemented by the state authorised body in compliance with the order defined in the RA Law on Environmental Inspection.
3. The entities and citizens violating conservation regimes, allowed types of forest use and nature use shall bear responsibility in accordance with the law.

X. Termination of Sanctuary Functioning

The Functioning of the Sanctuary can be terminated in the following cases:

1. By the Decree of the Founder (i.e. RA Government);
2. In accordance with the order envisaged by the Civil Code of the Republic of Armenia.

Head of the Staff of the Government of the Republic of Armenia

D. Sargsyan

Justification of the Draft Government Decree on Approval of the Charter of “Gyulagarak Pine” State Sanctuary

The Decree is in line with the RA Forest Code, the RA Law on Specially Protected Nature Areas and item 2 of the Article 7 of the RA Land Code. It derives from the Item 3.1.1 of the State Strategy and National Action Plan of SPNA development, approved by the RA Government Protocol Decree № 54 dated 26 December, 2002.

Conservation of Sanctuaries in the management system of specially protected nature areas (SPNA) and forest sector of RA is aimed at preservation of natural complexes and their valuable components, improvement and reproduction of flora and fauna, as well as ensuring social-economic and ecological balance of areas.

However, several Sanctuaries of forest sector are not regarded as specially protected nature areas; the legal basis for their management and respective planning is missing. The management of 13 forest sanctuaries in the structure of 21 forest enterprise branches of “Hayantar” SNCO of MoA RA (including “Gyulagarak ” State Sanctuary) does not correspond to the legal regimes determined in the RA Legislation and does not differ from the management of forest lands with no status of SPNA.

The conservation of forest lands of “Gyulagarak” Sanctuary is sufficient, however, the Sanctuary does not have a Charter and the measures implemented do not meet the requirements of SPNA (State Sanctuary) management regime determined by the Legislation, as well as requirements of environmentally safe and multipurpose use. Monitoring of biological diversity and special protection objects, as well as scientific researches and activities based on these researches are missing.

The Charter does not specify the types of permitted activities, functions of conservation, protection, rehabilitation, reproduction of natural ecosystems, landscape and biological diversity of gene pool, nature heritage, as well as scientific research, inventory of biological diversity, stock-taking, monitoring, awareness and eco-cognitive tourism.

State Sanctuaries do not have a status of legal person and their objectives and regime specifics should be specified by their Charters (Article 18, RA Law on Specially Protected Nature Areas), consequently, development of Sanctuary Charter is a legislative requirement and is crucial from the perspective of regulation of conservation and use of the area, sanctuary’s purpose-oriented significance, as well as enhancement of efficiency of other management functions.

The draft RA Government Decree on the approval of the Charter of “Gyulagarak Pine” State Sanctuary is elaborated by WWF Armenian branch during December 2010 - February 2011 in the frame of ENPI-FLEG project. The draft was discussed among experts from “Hayantar” SNCO of RA MoA, Bioresources Management Agency of the Ministry of Nature Protection of RA, as well as WWF Armenian branch.

Information on “Gyulagarak Pine” State Sanctuary

- Year of establishment and area - Decree of the Council of Ministers of ArmSSR N 341, 13.09.1958; 2576 ha.
- Location- Northern Armenia, Lori Marz, slopes of Bazum and Gugark Mountain Ranges. “Qarhanqi Djur” River Basin, at elevations ranging from 1400m-1900m.
- Objective of establishment- Protection of relict pine (*Pinus kochiana*) forests.
- Subordination- MoA RA, “Hayantar” SNCO, Stepanavan Forest Enterprise.

The main protection object of the Sanctuary is relict Caucasian pine forest (*Pinus kochiana*). Some species registered in the Red Data Book of Armenia can be seen in the Sanctuary, including *Acer trautvetteri*. “Gyulagarak Pine” State Sanctuary has considerably suffered from illegal cuttings during 1990-2000.

The area has the necessary potential for development of cognitive and eco tourism, provision of complex resort services.

Statement on making amendments in expenses or incomes of RA State budget in connection with the approval of the legal act

There are no changes to be made in the incomes and expenses in RA State budget, as well as local self governing bodies in connection with the approval of draft Government Decree.

Statement on the necessity to make changes and amendments in legal acts

There are no changes and amendments to the other legal acts in connection with the approval of draft Government Decree on the Approval of the Charter of “Gyulagarak Pine” State Sanctuary.

Reference on public discussions for drafting the legal act

The draft Government Decree on the Approval of the Charter of “Gyulagarak Pine” State Sanctuary was placed on ENPI-FLEG website (www.enpi-fleg.org). The draft was discussed with respective specialists and experts from “Hayantar” SNCO of RA MoA, Bioresources Management Agency of the Ministry of Nature Protection of RA, as well as WWF Armenian branch.

Reference on conclusions from impact assessment

(should be filled in after circulation of the Document)

Summary

(should be filled in after circulation of the Document)

List of stakeholder entities, with whom the draft Government Decree on the Approval of the Charter of “Gyulagarak Pine” State Sanctuary should be agreed

1. RA Ministry of Justice
2. RA Ministry of Finances
3. RA Ministry of Agriculture
4. RA Ministry of Nature Protection
5. State Committee of the Real Estate Cadastre adjunct to the RA Government
6. RA Tavush Marz Administration

List of Legal acts used for drafting RA Government Decree on the Approval of the Charter of “Gyulagarak Pine” State Sanctuary

1. Forest Code of the RA
2. RA Law on Specially Protected Nature Areas
3. RA Law on Flora
4. RA Law on Fauna
5. RA Land Code
6. RA Government Decree №388-N, dated 16 January, 2003, on the Approval of the Charter of “Hayantar” State Non Commercial Organisation.
7. State Strategy on Developing Specially Protected Nature Areas and National Action Plan of Armenia, RA Ministry of Nature Protection, Approved by RA Government Protocol Decree №54, dated 26 December, 2002.

**DECREE OF THE REPUBLIC OF ARMENIA GOVERNMENT ON LIQUIDATION OF “ARJATKHLIENI”
HAZEL-NUT STATE SANCTUARY AND RESTRUCTURING OF IJEVAN STATE SANCTUARY**

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Pursuant to the Articles № 7, 19, 20, 75 of the RA Land Code, Articles № 12, 18, 58, as well as Articles № 3, 4, 5, 8, 9, 18, 22, 23, 26 of RA Law on Specially Protected Nature Areas, the Government of Armenia decides.

1. To liquidate “Arjatkhljeni” Hazel-nut State Sanctuary in the structure of Ijevan Forest Enterprise branch of MoA “Hayantar” SNCO.
2. To include 40 ha area of “Arjatkhljeni” Hazel-nut State Sanctuary (Ijevan Forest District of Ijevan Forest Enterprise) in the structure of “Ijevan” State Sanctuary under Ijevan Forest Enterprise branch of MoA “Hayantar” SNCO (pursuant to the Annex1).
3. To restructure “Ijevan” State Sanctuary to “Ijevan Arjatkhljeni” State Sanctuary.
4. To the RA Minister of Agriculture- to organise revision and mapping of boundaries of “Ijevan” State Sanctuary during 2011.
5. To the RA Minister of Agriculture- to prepare RA Government draft Decree on the approval of Charter, description of boundaries and area of “Ijevan” State Sanctuary after finalisation of cartographic operations.
6. To the Minister of Finance of the RA- to include the discussion on the maintenance costs of “Ijevan” State Sanctuary for the year 2012 in the process of budgeting of 2011 pursuant to the application by the Minister of Agriculture.
7. To make respective amendments in the land balance of Tavush Marz of RA in compliance with the legislation of the Republic of Armenia.
8. This Decree shall come into force on the tenth day from the time of its publication.

Justification of the Draft Decree on Liquidation of “Arjatkhlēni” Hazel-nut State Sanctuary and Restructuring of “Ijevan” State Sanctuary

The Decree is in line with the RA Forest Code, the RA Law on Specially Protected Nature Areas and item 2 of the Article 7 of the RA Land Code. It derives from the Item 3.1.1 of the State Strategy and National Action Plan of SPNA Development, approved by the RA Government Protocol Decree № 54 dated 26 December, 2002.

“Arjatkhlēni” Hazel-nut State Sanctuary is entirely included in the area of “Ijevan” State Sanctuary (Ijevan Forest District of Ijevan Forest Enterprise). Its area is 40 ha according to the Decree of the Council of Ministers of ArmSSR N 341, 13.09.1958, while valuable plots where hazelnut participates in forest composition take up around 750 ha within “Ijevan” State Sanctuary. The presence of two Sanctuaries in the same area (Ijevan Forest District of Ijevan Forest Enterprise) does not have any scientific justification and is not purposeful from the point of view of effective management.

Therefore, it is appropriate to:

- Liquidate “Arjatkhlēni” Hazel-nut State Sanctuary (entirely included in the area of “Ijevan” State Sanctuary) and merge it with “Ijevan” State Sanctuary;
- The main protection objective shall be defined as conservation of hazel-nut as well as forest fauna;
- The management and conservation of the Sanctuary shall be implemented by the appointed staff of restructured “Ijevan hazel-nut” State Sanctuary.

Information on “Arjatkhlēni” Hazel-nut State Sanctuary

“Arjatkhlēni” Hazel-nut State Sanctuary is located in Tavush Marz of the RA

- Year of establishment and area - Decree of the Council of Ministers of ArmSSR N 341, dated 13.09.1958; 40 ha.
- Location- Northern Armenia, Tavush Marz, northern slopes of Ijevan Mountain Range. Khakhaghaghbyur River Basin, at elevations ranging from 1500m to 1800 m.
- Objective of establishment- Protection of groves of yew and hazel-nut.
- Subordination- MoA RA, “Hayantar” SNCO, “Ijevan Forest Enterprise branch.

The main objective of the establishment of the Sanctuary is the protection of relict Hazelnut rarely found in Armenia and in Caucasus area, which is in non-sufficient condition.

“Arjatkhlēni” Hazelnut State Sanctuary is currently included in the area of Ijevan State Sanctuary, where *Corylus colurna* is represented in mixed oak-hornbeam and ash forest stands in Armenia and in Caucasus area.

Quercus macranthera, *Carpinus betulus* and *Fraxinus excelsior* are the main forest-forming species. *Viburnum lantana*, *Mespilus germanica*, *Daphne mezereum* and others can be found in the composition of sub-forest.

The following vertebrates -*Ursus arctos syriacus*, *Felis lynx*, *Felis silvestris caucasica*, *Capreolus capreolus*, *Sus scrofa*, *Canis lupus*, *Vulpes vulpes*, *Meles meles*, *Lepus europaeus*, can be seen in the area. Generally the flora and fauna of the Sanctuary are similar to the flora and fauna of “Ijevan” Sanctuary.

Information on “Ijevan” State Sanctuary

- Year of establishment and area - Decree of the Council of Ministers of ArmSSR N 375, dated 16.11.1971; 5908 ha.

- Location- Northern Armenia, Tavush Marz, slopes of Ijevan and Kayen Mountain Ranges, Aghstev River Basin, at elevations ranging from 900m to 2100 m.
- Objective of establishment- Protection of valuable plant and animal species.
- Subordination- MoA RA, “Hayantar” SNCO, “Ijevan” and “Sevqar” Forest Enterprise branches.

The main objective of the establishment of the Sanctuary is the protection of rare and valuable plant species, such as *Corylus colurna*, *Acer trautvetteri*, *Anacamptis pyramidalis*, *Atropa belladonna*, *Cephalanthera damasonium*, *Corydalis marschalliana*, as well as animal species, like *Ursus arctos syriacus*, *Felis lynx*, *Felis silvestris caucasica*, *Capreolus capreolus*, *Sus scrofa*, *Canis lupus*, *Vulpes vulpes*, *Meles meles*, *Lepus europaeus* and others. Conservation objects are rare and valuable hazelnut among plant and bear, roe deer, grouse and others among animal species.

The area has large potential for ecotourism development (high biodiversity potential, historical-archaeological monuments, beautiful scenery, rocks, waterfalls, gorges etc).

Sanctuary area is occupied mainly by oak and oak-hornbeam mixed forests and by beech forests in some areas. *Cerambyx cerdo* L., *Rosalia alpina* L., (*Parnassius mnemosyne*, *Hyles hippophaes* Esp. and *Proserpinus prosperpina* Pall., registered in Annex II of Bern Convention as Strictly protected fauna species are found in Sanctuary area.

Statement on making amendments in expenses or incomes of RA State budget in connection with the approval of the legal act

There are no changes to be made in the incomes and expenses in RA State budget, as well as local self governing bodies in connection with the approval of draft Government Decree.

Statement on the necessity to make changes and amendments in legal acts

There are no amendments to the other legal acts in connection with the approval of the RA Government draft decree on liquidation of “Arjatkhlendi” Hazel-nut State Sanctuary and restructuring of Ijevan State Sanctuary.

Reference on Public discussions for drafting the legal act

The RA Government draft decree on liquidation of “Arjatkhlendi” Hazel-nut State Sanctuary and restructuring of “Ijevan” State Sanctuary was placed on ENPI-FLEG website (www.enpi-fleg.org). The draft was discussed with respective specialists and experts from “Hayantar” SNCO of RA MoA, Bioresources Management Agency of the Ministry of Nature Protection of RA, as well as WWF Armenian branch.

Reference on conclusions from impact assessment

(should be filled in after circulation of the Document)

Summary

(should be filled in after circulation of the Document)

List of stakeholder entities, with whom the draft Government Decree on the Liquidation of “Arjatkhlendi” Hazel-nut State Sanctuary should be agreed

1. RA Ministry of Justice
2. RA Ministry of Finances
3. RA Ministry of Agriculture
4. RA Ministry of Nature Protection

5. State Committee of the Real Estate Cadastre adjunct to the RA Government
6. RA Tavush Marz Administration

**List of Legal acts used for drafting the draft Government Decree on the Liquidation of
“Arjatkhleri” Hazel-nut State Sanctuary**

1. RA Forest Code
2. RA Law on Specially Protected Nature Areas
3. RA Law on Flora
4. RA Law on Fauna
5. RA Land Code
6. RA Government Decree №388-N, dated 16 January, 2003, on the Approval of the Charter of “Hayantar” State Non Commercial Organisation.

CHARTER OF “IJEVAN” STATE SANCTUARY

I. General Provisions

1. “Ijevan” State Sanctuary (hereinafter Sanctuary) was established following the Decree of the Council of Ministers of ArmSSR N 375, dated 16.11.1971.
2. The founder of the Sanctuary is the Government of the Republic of Armenia.
3. The Sanctuary is located on the slopes of Ijevan and Kayen Mountain Ranges, in Aghstev River Basin, at elevations ranging from 900m - 2100 m, with an area of 5908ha.
4. The Sanctuary does not have a status of legal person and its activities are regulated by the RA Forest Code, the RA Law on Specially Protected Nature Areas, other legal acts of RA, as well as current Charter.
5. The main conservation objects of the Sanctuary are relict hazelnut, valuable forest flora and fauna, as well as other plant species registered in Red Book of Armenia.
6. The name of the Sanctuary is:

in Armenian (full)	“Ijevan” Argelavajr
in Armenian (abridged)	“Ijevan” ArgelavajrSanctuary
in Russian (full)	Иджеванский государственный заказник
in Russian (abridged)	Заказник Иджеван
in English (full)	“Ijevan” State Sanctuary
in English (abridged)	“Ijevan” Sanctuary

II. Purpose and Status of the Sanctuary

1. The purpose of the Sanctuary is provision of conservation, protection, rehabilitation, reproduction and sustainable use of relict hazelnut in Armenia and Caucasus Region.
2. The Sanctuary has a status of State Sanctuary according to the RA Law on Specially Protected Nature Areas (2006).
3. The Sanctuary meets the requirements of the International Union for Conservation of Nature (IUCN) IV category.

III. Administrative-Territorial Organisation of the Sanctuary

1. The office of the Sanctuary is located in Ijevan city of RA Tavush Marz (office of Ijevan Forest Enterprise branch). The distance from Yerevan (capital city) is 130 km.
2. The area of the Sanctuary includes Forest Blocks № ***** of Ijevan and Sevqar Forest Enterprise areas.
3. The Sanctuary is located within the areas of Ijevan Forest District of Ijevan Forest Enterprise and Achajur Forest District of Sevqar Forest Enterprise.
4. The Sanctuary is bordering with forest lands of Sevqar Forest Enterprise branch in the North, Ijevan Forest Enterprise branch in the South and Enoqavan, Getahovit, Lusadzor, Aknaghbyur, Achajur community and privately owned lands in the East.

IV. Management of the Sanctuary

1. The Sanctuary is subordinated to Ijevan Forest Enterprise branch of “Hayantar” SNCO of RA MoA.
2. The control over Sanctuary management shall be implemented by the head of Ijevan Forest Enterprise branch.

3. The operation of the Sanctuary shall be managed by the head of the Sanctuary, who is responsible for following the instructions by the head of Ijevan Forest Enterprise.
4. The head of the Sanctuary shall be responsible for the estate of the Sanctuary, implementation of objectives and functions, activities initiated and quality of services in compliance with the legislation and authorities vested by the current Charter.
5. The head of the Sanctuary shall ensure enforcement of laws, other legal acts, decisions of authorised state bodies, current Charter and agreements signed.
6. The rights and responsibilities of Sanctuary staff shall be determined by the RA Legislation, work contracts and other legal acts.
7. The budget of the Sanctuary shall be generated from the allocations of RA State Budget, fees, provision of services, sponsors, grants and other means allowed by RA Legislation.
8. 10-year planning of Sanctuary activities and measures shall be determined in the Sanctuary management plan.
9. The management plan of the Sanctuary shall be prepared following the requirements set forth in RA Forest Code, RA Law on Specially Protected Nature Areas and related legal acts.
10. The management plan of the Sanctuary shall be approved by the authorised body.
11. The management of the Sanctuary can also be implemented through accredited management.

V. Objectives of the Sanctuary

The objectives of the Sanctuary shall include provision of the following activities:

1. Conservation of species and their habitats through active management of the area;
2. Sustainable use of natural resources;
3. Efficient conservation and monitoring of the area;
4. Implementation of measures envisaged in the Sanctuary management plan;
5. Natural development of special protection objects, landscape and biological diversity of the Sanctuary;
6. Prevention and alleviation of negative impacts on ecosystems and their components;
7. Implementation of measures aimed at the increase of the level of ecological education and awareness among local population;
8. Organisation and management of visits, scientific-cognitive and eco tourism;
9. Organisation of scientific researches;
10. Organisation of forest rehabilitation, forest protection and fire prevention measures;
11. Prevention of natural hazards and alleviation of their consequences.

VI. Protection of the Sanctuary

1. The protection of the Sanctuary shall be implemented by the protection staff of “Ijevan Hazelnut” State Sanctuary of Ijevan Forest Enterprise branch of “Hayantar” SNCO of RA MoA.
2. The buffer zone of the Sanctuary shall comprise the upper flows of Sarnajur and Khachaghbuyr Rivers (left-side streams of Aghstev River) in the West, the areas located between Aghstev River and Eastern boundaries of the Sanctuary (within the administrative area of Enoqavan, Getahovit, Lusadzor, Aknaghbuyr and communities), forest lands of Sevqar and Ijevan Forest Enterprise branches in the North and South respectively.
3. The land use within the buffer zone of the Sanctuary shall be regulated in compliance with the RA Legislation.
4. The nature use initiatives and projects within the Sanctuary buffer zone shall be agreed with the leadership of the Sanctuary.
5. The protection staff of the Sanctuary shall provide information to stakeholders (local self-governing bodies, local population, private owners, public and educational institutions, visitors, etc.) regarding the limitations of nature use, conservation regime, permitted and prohibited activities, as well as services offered in compliance with the Legislation of the Republic of Armenia.
6. The Sanctuary protection measures are determined in the management plan of the Sanctuary.

VII. Limitations of Nature Use within the Sanctuary area

The limitations of nature use within the Sanctuary area shall be aimed at prevention of:

1. Any activity violating the safety of natural complexes and natural development of environment;
2. Any activity violating hydrological regime of the area, unless it is aimed at provision of drinking water to settlements;
3. Violation of flora and fauna habitats;
4. Any activity violating the invariability of historical and cultural monuments within the Sanctuary area, as well as historical environment;
5. Measures aimed at introduction of new plant and animal species, genetically modified organisms and their acclimatization;
6. Use of chemicals with the purpose of plant protection, as well as use of mineral fertilizers, that can cause degradation of natural forest ecosystem (with the exception of cases of massive prevalence of pests and diseases);
7. Use of technologies causing ecologically detrimental pollutions and sewages;
8. Production, use and storage of radioactive materials, wastes and other toxic substances dangerous for human health and environment, as well as pollution via household and industrial waste;
9. Geological surveys, mining activities, instalment of mineral processing objects causing damage to land cover;
10. Forest cuttings (aside from those envisaged by the Sanctuary management plan);
11. Exploitation and parking of motor and crawler transport outside the roads of public use and water lines and in areas not designed for these purposes;
12. Construction and exploitation of economic and residential facilities, roads, pipelines, electric lines and other communication lines, except from objects required for Sanctuary functioning (office, small house etc.);
13. All types of area exploitation, deteriorating landscape wholeness and aesthetical values, hampering organisation of eco education cognitive tourism and recreation;
14. Other activities not envisaged by the Sanctuary management plan.

VIII. Types of Nature Use within Sanctuary Area

The following activities shall be permitted within the territory of the Sanctuary:

1. Economic activities that do not threaten the sustainability of ecosystems, conservation of flora and fauna representatives, as well as objects of scientific and historical-cultural significance;
2. Reproduction of rare and valuable plant and animal species typical for the ecosystem;
3. Activities preventing violation of the balance of ecosystems, as well as activities, aimed at the rehabilitation of disturbed ecosystems;
4. Organisation of cognitive tourism, ecotourism and recreation and related services in accordance with the envisaged order;
5. Use of organic fertilizers and biological pest control over plant and animal species;
6. Organisation of educational and field practice of educational institutions;
7. Scientific researches;
8. Allocation of lands under lease in accordance with the law with the purpose to organise recreation;
9. Implementation of fire control and forest protection measures;
10. Other activities envisaged by the Sanctuary management plan.

IX. State Control

4. The function of state control over forest use and forest management of the Sanctuary area shall be implemented by the state authorised body in accordance with the RA Forest Code.

5. The function of state control of the preservation of environment and nature use shall be implemented by the state authorised body in compliance with the order defined in RA Law on Environmental Inspection.
6. The entities and citizens violating conservation regimes, allowed types of forest use and nature use shall bear responsibility in accordance with the law.

X. Termination of Sanctuary Functioning

The functioning of the Sanctuary can be terminated in the following cases:

1. By the Decree of the Founder (i.e. RA Government);
2. In accordance with the order envisaged by the Civil Code of the Republic of Armenia.

Head of the Staff of the Government of the Republic of Armenia

D. Sargsyan