April 2026

Preliminary Assessment Report

of the Law of the Republic of Armenia on Specially Protected Nature Areas

I. OVERVIEW

This preliminary assessment is conducted by International Union for Conservation of Nature (IUCN) within the Green Agenda Armenia program implemented by the American University of Armenia (AUA) Acopian Center for the Environment in partnership with the Stockholm Environment Institute (SEI, Sweden), with support from the Government of Sweden.

One of the objectives of the project is to support the Republic of Armenia in the policy review of the Law of the Republic of Armenia on Specially Protected Nature Areas, and the preliminary assessment of its alignment with international standards and IUCN categories. The objectives are to identify legislative and implementation gaps and develop recommendations for amendments in line with modern conservation priorities.

This report is not produced from a full legal review of relevant legislation, hence it presents general observations regarding the alignment with the IUCN standards and guidelines for protected areas. This preliminary assessment delivers preliminary findings and recommendations specifically focusing on presented Protected Areas (PAs) categories and newly introduced to the Law on Specially Protected Nature Areas concepts:

- *Other Effective Area-based Conservation Measures (OECMs);*
- *Ecological Corridors;*
- *Biosphere Reserves.*

The observations have been structured into several categories: *general observations, IUCN standards and principles, and the special observations on the concepts/definitions. Additionally, the observations address the gaps in alignment with relevant EU environmental acquis.*

II. METHODOLOGY AND REVIEW PROCESS

IUCN finds it essential to perform the stakeholder consultations and receive the feedback from the Ministry of Environment of the Republic of Armenia for the alignment of the Amendment's concepts with the framework, discussed below.

III. SUMMARY OF OBSERVATIONS AND FINDINGS

Observation/finding	Recommendation
General	
The non-official translation of the Law into English is a "direct" translation with the domestic terminology in use.	The text of the amendment should better reflect internationally accepted legal and environmental terminology
Backward interpretation of IUCN recommendations into Armenian.	The backwards translation of the IUCN recommendations into the national language should be accurate so as to avoid potential errors.
The commitment for adjustments	The IUCN recommendations may give rise to alignment of the text of the Law with the global standards, definitions (concepts) and approaches.
Affect towards the Armenian legal framework and inter-institutional coordination	Upon amendment of the Law, further modification of the other related laws, policies and acts, referring to the discussed concepts, might be needed to align the Armenian legal framework.
IUCN standards and principles	
Guiding principles	The ruling principle for IUCN is that only those areas with the main objective of nature conservation can be considered Protected Areas; It means that areas can have other goals and other values as well, but conservation of natural values for which the area is proclaimed has to be stated as a **primary goal in a clear manner** so that in the case of conflict of interest with other activities, nature conservation considerations will be taken as the priority.
	Protected Areas in IUCN's definition must have conservation of natural values for which they are proclaimed as primary objective. **Sustainable use of resources** can be allowed depending on established regimes, but it must be clear that this is not an objective at the same level as conservation of natural values.
	The concept of Management of the Protected Areas should be mentioned and duly discussed.
	IUCN recommends that besides defining ecological tourism contributes to conservation it should specifically reference that it shall not be harmful to nature.
Special observations on concepts/definitions	
Alignment of the Law's concepts (definitions) with the IUCN ones	IUCN definition of Protected Areas is *"A clearly defined geographical space recognized, dedicated and managed, through legal and other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values".* **It is important to extract each part of the definition as a guiding principle for legally defining the concept of a Protected Area at national level.**

	IUCN definition for Category II (National Park) is *"Protected areas are large natural or near-natural areas, set aside to protect large-scale ecological processes along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities"* **It is important to extract each part of the definition as a guiding principle for legally defining the concept of a National Park at national level.**
	Regarding Other Effective area-based Conservation Measures (OECMs), we do not see any other mention of this concept in the text other than its definition. **We would not recommend introducing the concept of OECM into the legislation without accompanying provisions to define its treatment. The OECM needs and potential can be first estimated and the needed updates in policy and legislation are identified (if there will be any), perhaps by developing at a later stage corollary provisions or delegated acts.**
	The functional zone of the National Park can imply what has been mentioned in the recreation zone. **More clear differentiation between the zones is needed.**
	The difference between Sanctuary and Reserve categories is not clear - e.g both prescribe limited use but allow tourism. **Need further alignment with IUCN categories Ia and IV.**
	"Biosphere reserve" design should reflect international best practices, particularly with regard to zoning and management, in order to avoid potential conflicts with existing protected areas, which may serve as core zones. **Since UNESCO describes biosphere reserves as learning areas for sustainable development, it is important to clearly define the differences between biosphere reserve and the protected landscape categories to avoid overlaps.**
	For **Ecological corridors** IUCN would recommend adding the main element of the purpose of such corridors which i**s "**effective ecological connectivity" and "clearly defined geographic space".
Gaps in Alignment with EU Directives	
Gaps in alignment with EU Birds and Habitats Directive	The Law would benefit from stronger integration of key international principles, including the non-deterioration requirement, biodiversity-driven site selection, and public participation and access to justice in line with the Aarhus Convention. Additionally, it should explicitly provide for the establishment of protected areas aimed at the conservation and restoration of species of national importance.

IV. RECOMMENDATIONS AND PROPOSED AREAS FOR IMPROVEMENT

The following topics are discussed in detail below:

1) Protected Areas categories

2) Biosphere reserves;

3) Ecological corridors;

4) Other Effective Area-Based Conservation Measures (OECMs).

5) Potential gaps in alignment with EU Birds and Habitats Directive

1. PROTECTED AREAS CATEGORIES

1.1 Definition of Protected Areas

The IUCN definition states: *"A **protected area (PA)** is a clearly defined geographical space recognized, dedicated and managed, through legal and other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values*".

It is important to extract each part of the above definition as a guiding principle for legally defining the concept of a PA at national level.

The most important principle for IUCN is that only those areas where the **main objective is conserving nature** can be considered protected areas. That means that areas can have other goals and other values as well, but conservation of natural values for which the area is proclaimed must be stated as a **primary goal in a clear manner** so that in the case of conflict of interest with other activities, nature conservation considerations will be taken as the priority.

Article 4. Establishment of Specially Protected Areas of Nature states that the purpose of establishing specially protected areas of nature in the Republic of Armenia is to "1) *ensure the conservation, natural development, restoration, reproduction, and sustainable use of biological diversity and landscapes*". We would avoid mentioning "sustainable use" here at the same level as ensuring conservation. Adding that the use of resources is sustainable does not necessarily prevent harmful impacts on biodiversity, therefore it is important to clearly state nature conservation as the primary purpose.

1.2 National Parks (IUCN Category II)

IUCN Definition states: "***Category II protected areas** are large natural or near natural areas set aside to protect large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities".*

It is critical to understand the differences in criteria for Category II (National Park) in relation to Categories V (Protected Landscape) and VI (Protected Area with Sustainable Use of Natural Resources). Primarily in relation to national definition this poses a question on the reference of "t*erritory that has altered as a result of human activity*" as in essence National Parks should be areas of natural state, while cultural landscapes shaped by long standing human impacts fit with the idea of IUCN Category V.

We understand that the concepts of naturalness are evolving and can accept that National Parks in most countries have a long history and concepts that cannot easily change but would recommend a better application of the category criteria in any future proclamations.

For existing National Parks we would recommend at least **critically reviewing zonation**:

- **Functional Zone of a National Park** and **Recreation Zone of a National Park** should have more explicitly clear differentiation in their definitions. In this form it is not clear if the Functional Zone is intended for higher protection because of this unspecific line:" different *conservation and use regimes*". While Category II are not defined as strictly conserved areas, they must contain some core areas which would be aligned with criteria of strict protection, for example as defined by the European Union (EU) in their Staff working document on "Criteria and guidance for protected areas designations" and the relevant derived work. That means the functional zones of National Parks should be clearly defined as regimes that are strictly controlling visitations.
- **Economic (sustainable use) Zone of a National Park:** Category II should not generally have resource use permitted except for local communities' subsistence or minor recreational purposes.

1.3 Sanctuaries and Reserves

These categories should be more clearly defined to offer more distinction, understanding, clear categorisation and respective management of sanctuaries and reserves, since in the present version both these categories prescribe limited use but allow tourism.

From what we can conclude, the category of "**Reserve**" should match **IUCN Category Ia of Strict Nature Reserve** which is strictly protected in a sense of very limited access allowed. Category Ia allows human access only in special cases: e.g. for monitoring, science, restoration interventions, use of sacred sites.

The category of "**Sanctuary**" would then probably fit with **IUCN Category IV of Habitat/Species Management area.** In this case there is no need to legally prescribe limited human use because management might require interventions. The point with this category is that its intention is for conservation of specific species and/or habitat and their needs will then guide management practice (e.g. that might require grazing, hunting, control of invasives...) Such areas in general may be more publicly available and allow ecotourism.

The key difference to note is that Reserve (or IUCN category Ia) should in general not allow tourism, not even "ecological" tourism. The use of the term "visitation" in the definition of

Category Ia below does not refer to touristic visitors, but only human presence needed for monitoring, science or e.g. in rare cases where local residents have sites within the area used for religious/spiritual practices for which access can't be denied.

Please see the definitions for both IUCN categories:

Category Ia (Strict nature reserves) *are strictly protected areas set aside to protect biodiversity and possibly geological/geomorphological features, where human visitation, use and impacts are strictly controlled and limited to ensure protection of the conservation values. Such protected areas can serve as indispensable reference areas for scientific research and monitoring.*

Category IV (Habitat/Species Management areas) *protected areas aim to protect particular species or habitats and management reflects this priority. Many category IV protected areas will need regular, active interventions to address the requirements of particular species or to maintain habitats, but this is not a requirement of the category.*

1.4 Protected Landscape

Protected landscape *is a protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.*

The primary objective of this category of Protected Landscape (IUCN Category V) is to protect and sustain important landscapes/seascapes and the associated nature conservation and other values created by interactions with humans through traditional management practices. Other objectives are to maintain a balanced interaction of nature and culture through the protection of landscape and/or seascape and associated traditional management approaches, societies, cultures and spiritual values, to contribute to broad-scale conservation by maintaining species associated with cultural landscapes and/or by providing conservation opportunities in heavily used landscapes; To provide opportunities for enjoyment, well-being and socio-economic activity through recreation and tourism; To provide natural products and environmental services; To provide a framework to underpin active involvement by the community in the management of valued landscapes or seascapes and the natural and cultural heritage that they contain; To encourage the conservation of agrobiodiversity and aquatic biodiversity; To act as models of sustainability so that lessons can be learnt for wider application.

It is important to ensure as best as possible that the National Parks are more aligned with actual criteria for IUCN Category II and avoid that these in practice function more like protected landscape category V which does in general prescribe less strict regimes, and more land use options.

1.5 Buffer Zones

Buffer zones *are areas between core protected areas and the surrounding landscape or seascape which protect the network from potentially damaging external influences and which are essentially transitional areas.*

There is no single use recommendation for buffer zones as their design should be tailored to the specific ecological, and socio-economic context of the area. Some solutions include having one stricter category of PAs (e.g. Reserves) inside another lower restriction category which would serve as a sort of buffer. Alternatively, the buffer zone can be outside of the legally protected area with some authority to prescribe rules. This will depend on the specific context and national legislation options. The general sense is that buffer zone does not exclude use and human activity but regulates it in a way to prevent harmful effects that can spill over to the core zone.

Source where you can read more and get useful content is: Bennett, G. and K.J. Mulongoy. 2006. Review of experience with ecological networks, corridors and buffer zones. Technical Series no. 23. Montreal: Secretariat of the CBD (SCBD).

1.6 Management and Monitoring

We welcome adding the tracking of management effectives in *Article 14. Monitoring of Specially Protected Nature Areas*, we also encourage the reference to using the internationally accepted standards for measuring management effectiveness, as that will ensure proper methodology is applied.

We would also recommend introducing evaluations of governance in monitoring. Those aspects are important for ensuring participation, transparency, rights of local communities, especially rightsholders, and other interested parties.

We would advise following the IUCN management effectiveness evaluation framework and the IUCN Green List of Protected and Conserved Areas which cover the essentials of Protected Areas management effectiveness:

- Evaluating effectiveness: a framework for assessing management effectiveness of protected areas | IUCN Library System
- IUCN Green List Version 1.1 – Approved Nov. 2017 - IUCN Green List

1.7 Ecological Tourism

Besides mentioning in the definition ecological tourism contributes to conservation**, it should also be specifically referenced that these activities cannot be harmful to nature.** It is crucial to have clear understanding and formalisation, that any tourism in a protected area should be ecological and comply to certain standards of low disturbance, but it does not mean it can be equally allowed in all categories of protected areas.

2 BIOSPHERE RESERVES

Definition: according to the draft Law the *Biosphere Reserve is an association located within defined boundaries, created with the participation of specially protected areas of nature and local self-government bodies, aiming at territorial sustainable and integrated development. It may be created by the Government or by two or more local self-government bodies to contribute to biodiversity conservation, sustainable economic development, and the improvement of the well-being of the population within its boundaries. It must be recognized under the UNESCO "Man and the Biosphere" Programme and included in the World Network of Biosphere Reserves as an exemplary form of sustainable interaction between humans and nature.*

This definition is adequate, adding the notion of "representativity" can be considered, as an important feature of a biosphere reserve is "representative of their biogeographic region". IUCN welcomes that definition mentions "It must be recognized under the UNESCO "Man and the Biosphere" Programme...", as that ensures alignment with the framework.

Zoning: Some biosphere reserves are recognized at the national level according to specific legislation and form part of a national or regional administration. In others, only the core area is legally designated. The core areas in current terminology should basically be "Special Protected Areas of Nature" of the appropriate category. The category will depend on national legislation and while it does not have to *exclusively* be IUCN Category Ia or Ib, those are the standard for ensuring the core remains an undisturbed "reference points" for the rest of the reserve. Therefore, we recommend the core areas should be protected areas best aligned with IUCN Category Ia which in your case with some modification can fall to "**Reserve" category**.

Management: The Statutory Framework does not specify or prescribe a specific kind of governance structure to implement the concept of a biosphere reserve. It only requires that appropriate structures responsible for operation exist. That leaves a lot of flexibility for national adaptation, but we would recommend defining it, and in a way that enables participation. Useful advice can be found in "TECHNICAL GUIDELINES for biosphere reserves". A basic suggestion for defining governance and management would be to ensure a coordination team for implementation and a strategic/oversight structure in the form of a committee consisting of key stakeholders. The Law has a provision in *Article 35 on the Interagency Commission***,** but are provisions for management or governance of the reserve after establishment in place?

In general, we would recommend consulting IUCN guidance for managing multi-internationally designated areas Managing MIDAS : harmonising the management of Multi-Internationally Designated Areas | IUCN Library System. This can help with harmonizing national legal or administrative frameworks for different international designations, and creating a coordination mechanism.

As indicated in *Article 33. Purpose of Establishing a Biosphere Area*, it shall be established for the conservation and sustainable use of specially protected areas of nature, valuable

ecosystems located outside them, and biological diversity, while contributing to the sustainable development of adjacent settlements.

In relation to earlier points made on the fact that protected areas must have a primary purpose of nature conservation, similarly in this provision we would advise rephrasing.
The difference between a Biosphere Reserve and a Protected Area, including IUCN Category V (Protected Landscape) is:

- Biosphere Reserve as a whole should **equally** enable benefits for nature and people;
- Protected Area must **primarily** enable benefits for nature values it was proclaimed for.

3. ECOLOGICAL CORRIDORS

Definition: according to the draft Law, the *Ecological Corridor is a functional component of the ecological network aimed at ensuring the interconnection of specially protected areas of nature and valuable natural ecosystems, ecosystem stability, conservation, plant dispersal, animal movement, and preservation of habitats and living spaces of plant and animal species, sustainable use of soil and biological resources, and the integrity of the ecological network.* This definition is sufficient, nonetheless, we would recommend adding the main element of the purpose of such corridors which **is "effective ecological connectivity".**

We also recommend adding the element of "clearly defined geographic space" in the definition of ecological corridors or in further specifications of the notion in *Article 32. Ecological Network and Ecological Corridor.*

4. OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURE (OECM)

We do not see any other mention of this concept in the text other than its definition. **We would not recommend introducing the concept of OECM into your legislation without accompanying provisions to define its treatment. The detailed operational rules, criteria, and procedures for identifying and managing OECMs can also be developed through subordinate legislation.**

In general, countries are not required to specifically introduce the name "OECMs". The intention of IUCN in producing the definition and criteria for OECMs is to provide common guidance for national frameworks. Our recommendation is to first estimate Armenia's OECM needs and potentials and then identify the needed updates in policy and legislation if you would have any. For example, it might happen that you have regulations on other areas managed for different purposes that already state the obligations to contribute to nature conservation, which you can evaluate against detailed OECM criteria. A broader review of relevant laws and policies in relation to OECMs, and a consultative process with other national stakeholders is recommended, especially as OECM recognition might frequently concern other sectors (water management, agriculture, forestry, hunting etc). Then you can

add a delegated act for OECMs that still builds on the IUCN definition but also national level circumstances.

In examples from other countries, some are already introducing criteria in their legislation along with the definition, some are just stating the obligation to create a registry (or Cadastre) for OECMs or other sub-regulations which would further define what qualifies as an OECM. The main point is that you will need a clear mechanism for identifying such sites.

Extra details can be obtained from the Guidance on other effective area-based conservation measures (OECMs) | IUCN Library System

5. GAPS IN ALIGNMENT WITH EU BIRDS AND HABITATS DIRECTIVE

The principle of non-deterioration (HD article 6.2) could be better integrated in the Law, as an essential prerequisite for Protected Areas.

Site selection: designation of protected areas could involve assessment of biodiversity conservation needs, such as prioritisation of areas important for threatened species or representative coverage of key ecosystems and habitats.

The Law does not integrate adequately public consultations and access to justice in environmental decision making. Armenia is a contracting party to the Aarhus convention, a direct mention of it in the Law could be very important.

The Law does not mention the creation of protected areas to conserve and restore specific species of national importance. It focuses mostly on land tenures and different classifications.

One strength of the Birds and Habitats Directives is the State of Nature Report (article 17) which looks at the measures undertaken and their effectiveness. Perhaps something similar could be included in the monitoring section of the Law.