

SUMMARY

ANALYSIS OF THE LEGISLATION AND INSTITUTIONAL FRAMEWORK FOR COLLECTION OF PLANT RESOURCES

Collection of plant resources or flora objects in the Republic of Armenia happens spontaneously and without adhering to the requirements of the legislation. Plant resources are collected without permits and are used for personal consumption, as well as for profit: they are sold on roadsides, sold to processing companies and chains/stores of retail sale. Collection without permits and without proper oversight poses risks for preservation and reproduction of forest resources and may result in ecosystem changes and extinction of certain species.

Analysis of the legislation and institutional framework for collection of plant resources aims at summarizing the current regulatory framework and suggests some solutions towards addressing the issues identified above. The findings will be shared with decision-makers, businesses, civil society and other stakeholders. Suggested solutions can serve as a basis for a wider discussion of the issue and provide the basis for making changes and amendments in respective legal and regulatory acts.

This analysis looks at specifics of permits for utilization of nature resources and nature use fees, at introduction of other economic tools and at issues of oversight and legal responsibility. In addition, it looks at the system and responsibilities of competent authorities in charge of utilization of plant resources. Specific importance is attached to the role of local government in enforcing requirements of legislation on collection of plant resources.

Suggested legal and regulatory improvements are based on the following approaches:

1. Improvements of the system for permits for collection of plant resources shall be implemented by simplifying administration and in some cases the possibility of collection without a permit shall be considered;
2. Nature use fee shall not become an extra social burden for residents of communities that are located by the forests: they have a significant share amongst those involved in collection of plant resources;
3. Nature use fee for bio-resources sold to processing companies, chains/stores of retail sale shall be considered on the background of economic outcomes based on the analysis of the market structure in order to estimate possible positive and negative impacts of such a mandatory fee for large, medium, small and micro businesses;
4. The Administrative Offenses Code of Armenia shall define tougher penalties for violations of legislative requirements for collection and sale of plant resources, specifically for species that are not allowed for collection or are subject to seasonal restrictions;
5. Capabilities of local government shall be strengthened as the primary point of contact with local population to allow them to do an effective job of raising awareness about the

rules and requirements for collection of plant resources and legal consequences for violation of those rules/requirements.

The approaches for legal regulation suggested by this analysis shall be considered in the context of assessment of bio-resources, which currently in Armenia is done in a sporadic way. Such an assessment will help to have a clear picture of the economic value of bio-resources and possibilities of their effective use and it will also serve as a basis for the choice of the specific approach for legal regulation.