

**MINISTRY OF NATURAL RESOURCES AND ENVIRONMENTAL  
PROTECTION OF THE REPUBLIC OF BELARUS**

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To No. \_\_\_\_\_ of \_\_\_\_\_

Compliance Committee for the  
Convention on Access to  
Information, Public  
Participation in Decision-  
making and Access to Justice  
in Environmental Matters  
(Aarhus Convention)

The Republic of Belarus attaches great importance to the implementation of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (hereinafter ‘the Aarhus Convention’).

Since the signature by the Republic of Belarus of the Aarhus Convention, much work has been done to implement its provisions in national legislation and in practice. It should be noted that since the Aarhus Convention entered into force for Belarus in 2001, our country has four times passed legislation on public participation in decision-making on proposed activities that may have an effect on the environment. Moreover, this latter legislation has a higher legal status than previous instruments.

This process still continues today. Unfortunately, however, national legislation regarding access to environmental information and public participation in environmental decision-making still requires improvement. In this regard, the recommendations issued to the Republic of Belarus by the Compliance Committee and endorsed by the Fourth Meeting of the Parties were welcomed by our country as assistance in the performance of the obligations undertaken by the Republic of Belarus on signature of the Aarhus Convention.

First, we are honoured to tell you that as part of legislative reform to ensure the fullest compliance with the Aarhus Convention, additions and amendments have been made to Resolution No. 755 of the Cabinet of Ministers of 19 May 2010 on Several Measures to Implement the Act of the Republic of Belarus of 9 November 2009 on State Environmental Review [Expertiza] through the adoption of **Resolution No. 689 of the Cabinet of Ministers of 1 June 2011** on the Insertion of Additions and Amendments into Resolution No. 755 of the Cabinet of Ministers of 19 May 2010 and the Recognition of the Loss of Force of Resolution No. 571 of the Cabinet of Ministers of 4 May 2009 and **Resolution No. 1370 of 13 October 2011** on the Insertion of Amendments and Additions into Several Resolutions of the Cabinet of Ministers and Recognition of the Loss of Force of Resolution No. 356 of the Cabinet of Ministers of 25 March 2009.

In particular, the following additions and amendments have been inserted, in line with the recommendations made by the Aarhus Convention Compliance Committee to the Republic of Belarus:

- the principle of timeliness and effectiveness of public information on the environmental impact of a proposed activity has been added to the basic principles of environmental impact assessment (Section 4.5 of the Regulations on the Conduct of Environmental Impact Assessment [OVOS] (hereinafter ‘the Regulations’));
- a minimum period for the conduct of public discussions has been specified (30 days from the date of publication of the notice of public discussions) (Section 35.1 of the Regulations));
- the requirements for the notice of public discussions have been amplified to include information about the authority competent to take the decision to permit the construction of a facility (Section 35.7 of the Regulations).

Moreover, additions and amendments clarify the procedure for revising the environmental impact assessment report and the circumstances in which this is necessary, identify the state environmental review findings [*expertiza* conclusion] and decision of local executive authorities as decisions on the proposed activity, and oblige local executive authorities to publish decisions taken by them on a proposed activity on their official internet sites, along with a range of other amendments and additions.

Resolution No. 755 of the Cabinet of Ministers of 19 May 2010 on Several Measures to Implement the Act of 9 November 2009 on State Environmental Review as revised is attached.

Moreover, Resolution No. 687 of the Cabinet of Ministers of 1 June 2011 on Several Measures to Implement the Act of the Republic of Belarus on the Insertion of Additions and Amendments into Several Acts of the Republic of Belarus on Architectural, Urban Planning and Construction Activity approved the **Regulations on the Conduct of Public Discussions in the Field of Architectural, Urban Planning and Construction Activity** (attached).

After the Fourth Session of the Meeting of the Parties to the Aarhus Convention, the relevant state authorities discussed the implementation of the Aarhus Convention and identified ways in which this could be improved.

In particular, as part of the European Union and UN Development Programme 'Support to the development of a comprehensive framework for international environmental cooperation in the Republic of Belarus', which began to be implemented in Belarus in 2011, it is planned in 2012-2013 to **draft amendments and additions to Belarusian legislation on public participation in decision-making and public access to information on activities that concern the environment**. These amendments and additions should bring national legislation into the fullest compliance with the Aarhus Convention and at the same time fulfil the recommendations received by the Republic of Belarus at the Fourth Session of the Meeting of the Parties to the Aarhus Convention in Chisinau.

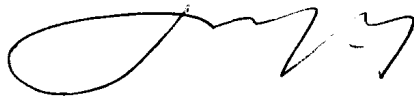
We also hope that the project 'Building capacity to compile national pollutant release and transfer registers in two countries with economies in transition (the Republic of Belarus and the Republic of Tajikistan) in the framework of the Aarhus Convention' (which began in 2011) and the roll-out of the SEIS [Shared Environment Information System] project in Belarus (the first national seminar took place in 2011) will assist the Republic of Belarus to fulfil its obligations under the Aarhus Convention, increase public awareness, and improve the collection and distribution of environmental information and public participation in the decision-making process.

We would like to avail ourselves of this opportunity to express our gratitude for the assistance granted to the Republic of Belarus in improving its legislation and practical application of the law in the light of the Aarhus Convention, and we hope that this fruitful cooperation will continue.

We would also be grateful if the Convention bodies could provide expert, advisory and financial assistance and support to the Republic of Belarus in its implementation of the recommendations issued.

Yours respectfully,

First Deputy Minister

A handwritten signature in black ink, consisting of a large, stylized loop followed by a series of smaller, connected strokes that form the letters 'V.V. Kulik'.

V.V. Kulik

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