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

Additional information on the implementation by Belarus of Decision VI/8c of the Meeting of the Parties to the UNECE Aarhus Convention.

Dear Chairman and Committee members,

Ecohome NGO provides new information on Belarus' progress both in the implementation of the recommendations from [Decision VI/8c of the Meeting of the Parties to the Aarhus Convention](#), as well as in the Second Progress Review of the implementation of Decision VI/8c on compliance by Belarus with its obligations under the Convention.

Ecohome NGO sent requests to the Ministry of Natural Resources and Environmental Protection and to the Department of Citizenship and Migration of the Ministry of Internal Affairs in order to obtain information on measures taken by Belarus to restore the rights of activists, namely, the lifting of the entry ban to Belarus for Andrei Ozharovsky and cancellation of decisions on administrative responsibility in relation to Andrei Ozharovsky, Tatyana Novikova, Irina Sukhiy and Mikhail Matskevich.

The Ministry of Natural Resources on March 18, 2020, provided information that it was conducting interdepartmental events to implement the recommendations of the Compliance Committee - namely, the Ministry of Natural Resources sent appropriate letters to the Ministry of Internal Affairs on March 01, 2020, and March 17, 2020, but copies of these letters were not provided (Annex 1).

Upon a request for copies of above-mentioned letters to the Ministry of Internal Affairs, the Ministry of Natural Resources and Environmental Protection in its reply dated April 06, 2020, reported that the entry ban for Andrei Vyacheslavovich Ozharovsky, a citizen of the Russian Federation, had been shortened until May 1, 2020 (Annex 2). It was subsequently confirmed by the response of the Department of Citizenship and Migration of the Ministry of Internal Affairs dated April 10, 2020 (Annex 3).

However, according to the information from Andrei Ozharovsky, he has not been notified on the reduction of the entry ban to Belarus yet, as well as which authority, when and by what decision the reduction of the term of the entry ban was made, and what was the basis for making this decision.

In the context of the above, Ecohome NGO expresses its gratitude to the Ministry of Natural Resources and Environmental Protection for the information provided. However, we consider important to note that the term of the entry ban for A. Ozharovsky was **reduced** (by 2 years and 2 months), instead of **completely cancelling** the decision to the entry ban in accordance with the Committee's recommendation. At the same time, no information is provided regarding the cancellation of decisions on administrative responsibility of A.Ozharovsky, I. Sukhiy, T. Novikova and M. Matskevich, which were also indicated in the relevant

recommendations of the Committee [in the First](#) (par. 90 ii) and [the Second](#) (par. 84 ii) Progress Review of the implementation of decision VI/8c on compliance by Belarus with its obligations under the Convention.

In connection with the aforementioned Ecohome NGO would like to note that

- Belarus did not recognize that the decision to entry ban into Belarus and administrative responsibility on activists are illegal.
- A. Ozharovsky has not been properly informed about the reduction of the entry ban into Belarus yet, as well as about the reasons for such a decision.
- with regard to A. Ozharovsky, Belarus did not cancel the decision to ban the entry as a whole, as required by the recommendation of the Committee, but only reduced the term of the ban by 2 years and 2 months.
- no measures have been taken to cancel the decisions on administrative responsibility of A.Ozharovsky, T. Novikova, I. Sukhiy and M. Matskevich, which, along with the entry ban to A.Ozharovsky, are mentioned in the Decision as forms of harassment and prosecution of activists exercising their rights in accordance with the provisions of the Aarhus Convention.
- no measures were taken to compensate for the harm caused (for example, reimbursement of fines paid, official apologies, etc.) to A. Ozharovsky, T. Novikova, I. Sukhiy and M. Matskevich.

Executive director

Marina Dubina