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## Committee on Environmental Policy

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### Environmental Performance Reviews

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## Third Environmental Performance Review of Belarus: recommendations

### Note by the secretariat

#### *Summary*

The present document provides recommendations of the third Environmental Performance Review of Belarus agreed upon by the Expert Group on Environmental Performance at its meeting held in Geneva on 12–13 October 2015.

The Committee is invited to adopt these recommendations.

### Chapter 1: Legal, policy and institutional framework

#### Recommendation 1.1:

The Government should further improve the system of strategic planning on environment and sustainable development by:

- (a) Adopting clear rules on the development, adoption and implementation of concepts and strategies, as well as reporting on their implementation;
- (b) Strengthening strategic planning in the environmental field by raising the level of the key strategic documents on environmental protection, in addition to covering environmental protection in the programmes of socioeconomic development.

#### Recommendation 1.2:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Introduce strategic environmental assessment into national legislation;
- (b) Initiate accession to the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context.

#### Recommendation 1.3:

The Government should launch an inclusive process, with the participation of all relevant stakeholders, to identify lessons learned from the implementation of the Millennium Development Goals and set up an ambitious national agenda on the basis of the globally agreed Sustainable Development Goals.

#### Recommendation 1.4:

The Government should preserve the national environmental authority at the ministerial level to ensure its operation on an equal footing with sectoral ministries.

Recommendation 1.5:

In line with its obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the Government should:

- (a) Further improve the conditions related to the establishment and operation of environmental non-governmental organizations;
- (b) Introduce in the legislation procedures for public participation in the development of strategic documents (at least plans and programmes) and of legislation relating to the environment;
- (c) Bring the legislation into line with the Convention regarding access to justice;
- (d) As part of training programmes for judges and prosecutors, raise their awareness and capacity to deal with cases initiated by citizens and public associations on the basis of environmental legislation and the Convention.

Recommendation 1.6:

The Ministry of Natural Resources and Environmental Protection should increase the efficiency of public coordination environmental councils at various levels.

Recommendation 1.7:

The Government should:

- (a) Improve the online accessibility of environmental information and data;
- (b) Establish a “one stop shop” portal for environmental information in line with Shared Environmental Information System (SEIS) principles and using geographic information system technologies;
- (c) Align the scope of environmental information with the requirements of the Aarhus Convention and ensure access to all environmental information in accordance with the Convention’s provisions.

Recommendation 1.8:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Continue working towards the establishment of a shared environmental information system that provides relevant, comprehensive, accurate and publicly accessible data and information on the state of the environment, by:
  - (i) Strengthening the capacities of the Information and Analysis Centres and the Main Information and Analysis Centre with the means for enhancing environmental data systems, applying geographic information system technologies and developing forecasts of the environmental situation for decision makers;
  - (ii) Establishing protocols for data flows, including workflow definitions (precisely defining who reports what, when and to whom.) and protocols on higher levels of information subsystems to avoid segregation of the whole system;
- (b) Extend, in cooperation with the National Statistical Committee, the Ministry of Health, the Ministry of Emergency Situations and other relevant public authorities, the application of SEIS principles to environmental information and data pertaining to the system of socio-hygienic monitoring and the system of monitoring and forecasting of natural and man-made disasters.

## **Chapter 2: Regulatory and compliance assurance mechanisms**

Recommendation 2.1:

The Ministry of Natural Resources and Environmental Protection should further strengthen its institutional framework for environmental compliance assurance by making rayon and town inspection units more effective through:

- (a) Focusing their work on the core tasks of compliance monitoring and non-compliance response;

- (b) Providing training;
- (c) Enabling to form inter-rayon inspection units of natural resources and environmental protection;
- (d) Further promoting the in-depth specialization of each inspector, taking into account areas in which specialist knowledge is required.

Recommendation 2.2:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Further strengthen the environmental impact assessment/state ecological expertise (EIA/SEE) procedures by introducing amendments to the legislation in order to:
  - (i) Provide more flexibility in EIA/SEE procedure in response to the increased complexity of projects by involving external experts;
  - (ii) Systematically use the best available techniques as criteria for the selection of adequate technical measures at early stages;
  - (iii) Publish the SEE conclusions and the EIA reports online, except for information of a commercial nature;
  - (iv) Ensure public participation in line with the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention);
- (b) Initiate the process for the acceptance of the second amendment to the Espoo Convention.

Recommendation 2.3:

The Ministry of Natural Resources and Environmental Protection should further improve the design, implementation capacity and arrangements related to environmental permitting by:

- (a) Updating the scope for integrated permitting by revising the types of installations subject to integrated permitting and their production capacity or output thresholds;
- (b) Providing training to industrial operators and competent authorities concerning the way applications for integrated permits should be made and considered;
- (c) Speeding up the adaptation of best available techniques reference documents (BREFs) to the national context and enabling effective use of BREFs by the regulated community;
- (d) Improving public participation in the integrated permitting procedure by making applications for integrated permits available to the public and by providing for public hearings;
- (e) Speeding up the development of the electronic application system for integrated permitting and an information system for single-media permits.

Recommendation 2.4:

The Ministry of Natural Resources and Environmental Protection should strengthen the specific instruments of environmental compliance monitoring and non-compliance response and improve analysis of their use and impact by:

- (a) Building capacity on and strengthening the practice of integrated inspections and joint inspections, especially for installations that have an integrated permit;
- (b) Improving the balance of enforcement tools, that is, more actively using permit withdrawal and suspension of installations as instruments for non-compliance response;
- (c) Defining a national set of performance management indicators that would enable an “input–output–outcome” analysis of the compliance assurance system;
- (d) Establishing strategic goals and priorities in terms of compliance and aligning the performance management system with them;
- (e) Ensuring regular publication of compliance and enforcement data.

Recommendation 2.5:

The Government should:

(a) Continue taking appropriate legislative, institutional and technical measures in order to establish a national pollutant release and transfer register system in accordance with the requirements of the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs) to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters;

(b) As soon as appropriate capacities for implementation are in place, consider accession to the Protocol on PRTRs.

Chapter 3: Economic instruments, environmental expenditure and investments for greening the economy

Recommendation 3.1:

The Government should:

(a) Ensure that the system of environmental taxes creates effective incentives for reducing or preventing pollution by adjusting tax rates accordingly, if necessary in a gradual manner within a specified time frame;

(b) Apply the air pollution tax only to the priority pollutants;

(c) Reform the tax on wastewater discharges by taking into account the pollution load by main pollution indicators of wastewater in addition to the volume;

(d) Develop and implement financial incentives for enterprises in favour of waste use, and remove the financial incentives in favour of waste storage and disposal.

Recommendation 3.2:

The Government should:

(a) Continue gradually raising tariffs for communal utility services to cost recovery levels, while at the same time phasing out cross-subsidies and budget subsidies;

(b) Develop adequate social support policies to ensure the affordability of communal utility services for low-income households;

(c) Explore the potentially large scope for public–private partnership as a mechanism for improving the provision of utility services.

Recommendation 3.3:

The Government should:

(a) Ensure allocative efficiency in the sectoral distribution of scarce public resources based on the National Strategy for Sustainable Socioeconomic Development until 2030;

(b) Monitor that the allocated budget funds for environmental protection are used in a cost-effective manner;

(c) Recommend to the National Statistical Committee and concerned public authorities that they regularly conduct statistical analyses concerning environmental expenditures in the main economic sectors, notably industry.

Chapter 4: Air protection

Recommendation 4.1:

The Government should develop a programme for emissions reduction based on the application of the best available techniques (BATs) and related reference documents, especially for the reduction of emissions of heavy metals, NO<sub>x</sub>, NH<sub>3</sub>, NMVOCs, PM and SO<sub>2</sub>, in order to achieve the emission limit values established in the amended protocols to the Convention on Long-range Transboundary Air Pollution — i.e., the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol), the Protocol on Heavy Metals and the Protocol on Persistent Organic Pollutants.

Recommendation 4.2:

The Ministry of Natural Resources and Environmental Protection, in cooperation with the local executive authorities, should investigate how the use of bicycles for shorter distances can be promoted, for example, by the construction of proper and safe infrastructure and a bicycle-sharing system.

Recommendation 4.3:

The Ministry of Natural Resources and Environmental Protection should carry out an emissions data inventory of NH<sub>3</sub> and scenario projections for the NH<sub>3</sub> emission trends to reduce uncertainties, in order to prevent possible problems in reaching the necessary emission reductions in the framework of the Gothenburg Protocol.

Recommendation 4.4:

As soon as appropriate capacities for implementation are available, the Government should accede to the amended protocols to the Convention on Long-range Transboundary Air Pollution — i.e., the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol), the Protocol on Heavy Metals and the Protocol on Persistent Organic Pollutants.

## **Chapter 5: Water management**

Recommendation 5.1:

The Ministry of Natural Resources and Environmental Protection, in cooperation with the Ministry of Agriculture and Food and other agencies and authorities concerned, should:

- (a) Develop, based on internationally recognized approaches, methodologies and regulations for the assessment of polluted diffuse runoff from cultivated land, residential and industrial areas and its impact on water resources, and develop appropriate measures for reducing diffuse pollution, with an emphasis on agriculture-related activities;
- (b) Revise and complete the delineation of water protection zones in compliance with the requirements of the 2014 Water Code, and enforce the implementation of the existing legislation aimed at preventing pollution generated by activities in those zones.

Recommendation 5.2:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Assess the impact of contaminated bottom sediments on the quality of surface waters based on internationally agreed methodologies, and implement remedial measures to reduce the pollution generated by contaminated bottom sediments;
- (b) Consider the inclusion of the monitoring of bottom sediments in activities for the monitoring of surface waters.

Recommendation 5.3:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Continue efforts to create a river basin council as a pilot project for one of the major river basins, preferably for the Upper Dnieper River Basin for which a basin management plan is at the final drafting stage, in order to work out modalities for the effective and smooth set up and functioning of the new institution;
- (b) Apply, in due time and taking into consideration the lessons learned, the tested working arrangements for creating councils in the other river basins.

Recommendation 5.4:

The Ministry of Natural Resources and Environmental Protection should:

- (a) Take appropriate measures to strengthen technical and human capacities to address the new scope of the State Water Cadastre;
- (b) Ensure that Shared Environmental Information System (SEIS) principles are applied to the State Water Cadastre;

- (c) Arrange for public access to a wider range of the information available in the State Water Cadastre and make the information easier to understand by presenting it in a more user-friendly manner.

## **Chapter 6: Waste management**

### Recommendation 6.1:

The Ministry of Natural Resources and Environmental Protection and the Ministry of Housing and Public Utilities should support:

- (a) Minsk Oblast authorities in the implementation of the Strategy for Integrated Municipal Solid Waste Management in Minsk Oblast for 2015–2029;
- (b) Preparation of waste management programmes for all oblasts.

### Recommendation 6.2:

The Ministry of Natural Resources and Environmental Protection and the Ministry of Housing and Public Utilities, in cooperation with oblast authorities, should prepare a plan to gradually phase-out mini-dumpsites, develop a methodology for risk assessment of these sites and prioritize their rehabilitation, with the aim to reduce their impact on human health and the environment.

### Recommendation 6.3:

The Government should consider the introduction of legislative changes to allow waste companies to specialize in collection only or in operation of waste disposal/processing facilities.

### Recommendation 6.4:

The Ministry of Natural Resources and Environmental Protection and the authorities responsible for industrial waste sites management should consider developing a hotspot list of industrial waste sites based on risk assessment as well as investigating opportunities for involving international donors in the rehabilitation of industrial waste disposal sites.

### Recommendation 6.5:

The Ministry of Housing and Utilities should consider aligning the definition of waste with international practice and making appropriate legislative changes to fully introduce regulation of municipal waste management in tons.

### Recommendation 6.6:

The Government should:

- (a) Carry out an inventory of mercury and products containing mercury;
- (b) As soon as appropriate capacities for implementation are available, ratify the Minamata Convention on Mercury;
- (c) Establish a laboratory for dioxins control.

## **Chapter 7: Biodiversity and protected areas**

### Recommendation 7.1:

The Government should design and establish a national ecological network, in particular by:

- (a) Ensuring cooperation of environmental, sectoral (agriculture, transport, etc.), land management, spatial planning and other stakeholders, in the development of the network;
- (b) Allocating protection status to those areas that will be part of the ecological network but that are currently not under the system of specially protected natural areas and do not have a special protection status.

### Recommendation 7.2:

The Ministry of Natural Resources and Environmental Protection should initiate accession to the:

- (a) 1991 Agreement on the Conservation of Populations of European Bats;
- (b) 2005 Almaty Amendment on Genetically Modified Organisms to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).

Recommendation 7.3:

The Government should work to progressively reduce the use of the methods of killing, capture and other forms of exploitation listed in appendix IV of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) with a view to ultimately withdrawing the respective reservation, or part(s) of it, made at the time of accession.

## **Chapter 8: Energy and environment**

Recommendation 8.1:

The Government should:

- (a) Pursue a policy of restructuring electricity tariffs to eliminate cross-subsidies and achieve price levels that reflect the costs of production in the power sector, while taking adequate measures to protect socially vulnerable groups;
- (b) Guarantee that the financial resources saved through energy efficiency measures are accumulated in the budgets of the respective organizations undertaking such measures.

Recommendation 8.2:

The Government should improve the framework conditions to allow growth of the market for energy services, in particular by:

- (a) Allowing banks to finance long-term projects;
- (b) Reconsidering the public sector procurement and tendering rules to facilitate the operation of energy service companies (ESCO);
- (c) Adopting a model ESCO contract.

Recommendation 8.3:

The Government should:

- (a) Apply recommendations of the International Atomic Energy Agency (IAEA) to provide necessary safeguards to reduce environmental and health risks associated with nuclear power plant construction and operation;
- (b) Carry out strategic environmental assessments on major energy sector plans and programmes under development, even though strategic environmental assessment is not yet provided for in the legislation.

Recommendation 8.4:

The Government should:

- (a) Improve the institutional framework in the renewable energy sector to facilitate implementation of the strategic goals set;
- (b) Maintain economic incentives by regularly reviewing and keeping adequate feed-in tariffs for energy generated from renewable energy sources;
- (c) Create an effective motivating system to attract inward investment into energy-saving equipment and technologies to modernize energy plants in the country;
- (d) Provide economic incentives for enterprises and households to pursue energy-saving policies and for the development of renewable energy sources;
- (e) Develop a national low carbon development strategy.

Recommendation 8.5:

The Government should:

- (a) Develop and implement a restructuring of the power system with the establishment of wholesale and retail markets;
- (b) Set up a procedure for relationships among business entities in the electricity sector to transform the sector into a well-functioning competitive market and to provide incentives for attracting investment to energy development;
- (c) Gradually introduce the transformation from purely administrative measures towards measures based on economic incentives and market mechanisms.

**Recommendation 8.6**

The Government should improve monitoring and verification of data from the energy sector in accordance with internationally agreed standards.

## **Chapter 9: Transport and environment**

**Recommendation 9.1:**

The Government, together with local authorities, should ensure the financial sustainability of its transport policy by:

- (a) Improving the cost recovery of public transport;
- (b) Prioritizing investments in types of transport where passenger loads justify them and taking measures aimed at increasing passenger demand.

**Recommendation 9.2:**

The Government should introduce economic incentives to facilitate the renewal of the country's aging fleet with a view to improving the situation regarding motor vehicles.

**Recommendation 9.3:**

The Government should ensure that the local executive and administrative bodies continue to deploy intelligent transportation system (ITS) solutions in order to improve traffic demand management and mitigate the negative externalities caused by urban transport.

**Recommendation 9.4:**

The Government should consider accession to the following United Nations transport agreements, in order to improve the environmental performance of the transport sector and its competitiveness as a transit country:

- (a) The 1993 Protocol amending article 1 (a), article 14 (1) and article 14 (3)(b) of the European Agreement of 30 September 1957 concerning the International Carriage of Dangerous Goods by Road (ADR);
- (b) The 2000 European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).

## **Chapter 10: Forestry and environment**

**Recommendation 10.1:**

The Ministry of Forestry should ensure a proper, science-based balancing of the ecological, economic and recreation functions of forests to achieve conservation goals, especially those related to clear-cutting patterns, the age limit of harvested species and species composition of reforested and afforested areas.

**Recommendation 10.2:**

When formulating policy and legal documents for the forestry sector, the Government should:

- (a) Undertake a wide consultation process based on a stakeholder analysis;
- (b) Take into account cross-sectoral issues, such as biodiversity conservation and climate change;
- (c) Set up an effective and transparent monitoring process to ensure implementation.

Recommendation 10.3:

The Government should consider developing a road map to strengthen the economic potential of forests, enhance the role of the private sector in the management and use of forest resources, and improve framework conditions for investors.

Recommendation 10.4:

The Government should consider reforming the timber sale method in order to set up a fair, competitive and transparent system.

Recommendation 10.5:

The Ministry of Forestry should enhance the country's forest road network based on multifunctional construction principles, paying due consideration to potential environmental impacts, including soil erosion, habitat loss and natural landscape impacts.

## **Chapter 11: Tourism and environment**

Recommendation 11.1:

The Government should:

- (a) Study international experience in assessing the impact of the tourism sector on the environment;
- (b) Consider whether it is possible to collect environment-related data on the tourism sector and to undertake an assessment of the impact of the tourism sector on the environment.

## **Chapter 12: Environmental education and education for sustainable development**

Recommendation 12.1:

The Ministry of Education should develop criteria and indicators to assess the progress of implementation of environmental education and education for sustainable development and their effectiveness.

Recommendation 12.2:

The Ministry of Education should consider including key sustainable development themes that are currently not prominently covered (e.g., democracy and governance; peace and human security; sustainable consumption and production; and sustainable urbanization) in the curricula and teaching practices on education for sustainable development.

Recommendation 12.3:

The Government should consider involving private sector professionals in training and update training programmes on sustainable consumption and production, sustainable investment, green procurement and sustainable forestry.

Recommendation 12.4:

The Government should:

- (a) Consider institutionalizing the Coordination Centre "Education for Sustainable Development" under the Ministry of Education;
- (b) Review the activities and membership of the interministerial Coordination Council on Education for Sustainable Development so that membership is based on functional titles and regular meetings of the Council are ensured.

## **Chapter 13: Human settlements and environment**

Recommendation 13.1:

The Government should:

(a) Develop a pilot project jointly with international organizations such as ECE and UN-Habitat to test possible implementation of the 2015 International Guidelines on Urban and Territorial Planning adopted by the UN-Habitat Governing Council;

(b) Based on the outcomes of such a pilot project, elaborate national guidelines for territorial planning.

Recommendation 13.2:

The Government should:

(a) Further develop a polycentric approach to the development of the country's settlements that supports environmental sustainability;

(b) Ensure that the satellite towns of Minsk are developed in a comprehensive, environmentally friendly way as interconnected, self-sufficient administrative-territorial units, and that this initiative is balanced with further actions on improving the country's small and medium-sized cities as sustainable, self-sufficient cities.

Recommendation 13.3:

The Government should:

(a) Advance the application of integrated solutions to further increase the energy efficiency of housing, including building envelopes, heat recovery ventilation, the use of renewable energy and other solutions, based on progressive international practices;

(b) Support studies on experiences and problems regarding the thermal modernization of the old housing stock.

Recommendation 13.4:

The Government should ensure that settlements' territorial development plans include actions to enhance and protect settlements' green spaces and landscape-recreational territories.

Recommendation 13.5:

The Government should maintain the diversity and integrated development of all rural communities by building on already existing experiences of some rural settlements in the development and implementation of their local sustainability strategies and plans.

## **Chapter 14: Health and environment**

Recommendation 14.1:

The Ministry of Health, in cooperation with the Ministry of Natural Resources and Environmental Protection, should:

(a) Assess the impact of environmental factors on health based on internationally recognized methodologies and define strategic targets and actions to be performed in the area of environment and health;

(b) Improve communication of the results and deliver user-friendly messages regarding prevention to the public.

Recommendation 14.2:

The Ministry of Health should carry out assessment of indoor air quality and its impact on health by conducting a survey on radon, lead and asbestos exposure, and more especially by:

(a) Taking action to diagnose and register cases of carbon monoxide intoxication and lead and asbestos-related diseases;

(b) Collecting reliable information on the use and distribution of asbestos, lead and radon to prevent related diseases;

(c) Raising awareness on asbestos-, lead- and carbon monoxide-related diseases and on preventive actions.

Recommendation 14.3:

The Government should develop and implement measures to reduce the use of asbestos using WHO guidelines, such as a national asbestos programme.

Recommendation 14.4:

The Government should ensure that the radiation monitoring at the Belarus NPP is carried out according to international standards and that safety programmes and emergency action plans are in place and adequately financed.

Recommendation 14.5:

The Ministry of Health, together with the Ministry of Natural Resources and Environmental Protection and the Ministry of Labour and Social Protection, should perform biomonitoring of human health in industrial areas in order to assess the impact of hazardous chemicals on health.

Recommendation 14.6:

The Government should initiate accession to the following ILO conventions dedicated to prevention and control of occupational hazards caused by hazardous substances:

- (a) 1971 Convention concerning Protection against Hazards of Poisoning Arising from Benzene (ILO No. 136),
  - (b) 1974 Convention concerning Prevention and Control of Occupational Hazards caused by Carcinogenic Substances and Agents (ILO No. 139),
  - (c) 1977 Convention concerning the Protection of Workers against Occupational Hazards in the Working Environment Due to Air Pollution, Noise and Vibration (ILO No. 148),
  - (d) 1986 Convention concerning Safety in the Use of Asbestos (ILO No. 162);
  - (e) 1990 Convention concerning Safety in the use of Chemicals at Work (ILO No. 170).
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