

**NATIONAL SYSTEM OF ACCESS TO LEGAL INFORMATION AS A TOOL FOR
PROMOTION OF EFFECTIVE ACCESS TO JUSTICE
(ON THE EXAMPLE OF THE REPUBLIC OF BELARUS)**

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In the Republic of Belarus for more than 20 years the National Center of Legal Information (hereinafter – NCLI) has been actively introducing information technologies into the processes of providing legal information. This activity significantly contributes to implementation of the requirements of the paragraph 5 of the article 9 of the Aarhus Convention.

In our state every person has the opportunity to quickly obtain reliable information about the legislation and practice of its application, the results of administrative and judicial consideration of issues relating to the environment. The source of these data includes the state information and legal resources of the national system of access to legal information the formation and maintenance of which is carried out by the NCLI.

Within the framework of this activity the NCLI:

has created and develops electronic databanks of legislation (contains more than 212.5 thousand acts) and other legal information (for example, databanks “Administrative Procedures”, “Judicial Practice”, “Legal Practice”, “Forms of Documents” and others);

provides access and convenient work with the specified databanks through the information retrieval systems “ETALON” (is installed on a personal computer) and “ETALON-ONLINE” (the state Internet resource);

develops a system of centers of access to legal information in the Republic of Belarus and abroad.

In general, nowadays combination of the created resources provides access to about 9.000 documents on various issues of the environmental protection and the rational use of natural resources (international acts, normative legal acts of the republican and local authorities, judicial decisions, explanations of the state bodies, scientific and analytical information, etc.).

The databanks “Legal Practice” and “Judicial Practice” are of particular importance for providing access to the materials of practice of application of the norms of environmental legislation and the results of judicial consideration of issues related to the environment.

The database “Legal Practice” (in total more than 16.000 documents) contains more than 500 methodological, analytical, explanatory and applied-theoretical materials on application of environmental legislation, including those relating to the environment and environmental rights, *For example, the databank contains materials (resolutions, letters, clarifications, question-answer) of the Ministry of Natural Resources and Environmental Protection, articles and comments of scientists and practitioners in the field of environmental law.*

The information array of the databank “Judicial Practice” currently includes 30.5 thousand documents and is updated every month with more than 300 new documents. The databank also contains more than 800 documents, including various types of judicial decisions on cases of violation of environmental rights and damage to the environment. There are decisions of the courts of the first instance and of the appellate courts in cases of administrative violations, in criminal and economic cases (recovery of amounts of damage caused to the environment), etc.

At the same time, it should be noted that in the Republic of Belarus there are still no unified approaches to bringing information about the results of consideration of cases in court.

Access to judicial decisions of the Constitutional Court of the Republic of Belarus and the Supreme Court of the Republic of Belarus is carried out through their official printed publications

and official websites. Access to the decisions of courts of general jurisdiction in these resources is practically not carried out or limited to a brief description of the case and a reference to the applicable legal norm.

In order to solve this problem the President of the Republic of Belarus in the [Edict No. 454 of October 10, 2011](#) “On Measures on Improvement of the Activity of the Courts of General Jurisdiction of the Republic of Belarus” prescribed to develop a publicly accessible special databank of judicial decisions integrated into the information retrieval system “ETALON”.

Currently, the role of such resource is performed by the databank “Judicial Practice”. Since 2015 it includes judicial decisions, rulings, verdicts (regional, district, city, city of Minsk) of courts and panels of judges of the Supreme Court of the Republic of Belarus (currently there are more than 4600 documents). All judicial decisions contain brief annotations. Personal data are excluded from the texts.

Providing of judicial decisions within the information retrieval systems in conjunction with legislation, other law enforcement, scientific and analytical materials and comments is more convenient for users. This approach makes it possible to perceive the situation in a complex way and to conduct its systematic study.

It is possible to obtain information from the resources independently or by contacting the centers of access to legal information.

Since 2001 the practice of establishing such centers on the base of public libraries, educational institutions and institutions of compulsory enforcement of punishments has been introduced in the Republic of Belarus.

The centers provide an opportunity to work with the main state information and legal resources, as well as provide advice in searching for legal information.

Currently, more than 650 such centers over 60% of which are located in rural areas operate. Thus, the state creates the necessary conditions for reaching vulnerable groups of people: those living in rural areas and who are in prison.

While summarizing, it should be noted that in the Republic of Belarus it is given considerable attention to the issues of implementation of the requirements of the paragraph 5 of the article 9 of the Aarhus Convention. At the same time, information and communication technologies introduced into the legal system of the Republic of Belarus significantly contribute to the effectiveness of implementation of the Convention’s provisions.